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Contents

Private Members' Business

On-street Parking 1

Addressing the Past 18

Oral Answers to Questions

The Executive Office 21

Agriculture, Environment and Rural Affairs 30

Question for Urgent Oral Answer

United Airlines..... 40

Matter of the Day

Violent Incidents in West Belfast on 6 November 2016 45

Private Members' Business

Addressing the Past (*Continued*)..... 47

Assembly Members

Agnew, Steven (North Down)
Aiken, Steve (South Antrim)
Allen, Andy (East Belfast)
Allister, Jim (North Antrim)
Anderson, Sydney (Upper Bann)
Archibald, Ms Caoimhe (East Londonderry)
Armstrong, Ms Kellie (Strangford)
Attwood, Alex (West Belfast)
Bailey, Ms Clare (South Belfast)
Barton, Mrs Rosemary (Fermanagh and South Tyrone)
Beattie, Doug (Upper Bann)
Beggs, Roy (East Antrim)
Bell, Jonathan (Strangford)
Boylan, Cathal (Newry and Armagh)
Boyle, Ms Michaela (West Tyrone)
Bradley, Maurice (East Londonderry)
Bradley, Ms Paula (North Belfast)
Bradley, Ms Sinéad (South Down)
Bradshaw, Ms Paula (South Belfast)
Buchanan, Keith (Mid Ulster)
Buchanan, Thomas (West Tyrone)
Bunting, Ms Joanne (East Belfast)
Butler, Robbie (Lagan Valley)
Cameron, Mrs Pam (South Antrim)
Carroll, Gerry (West Belfast)
Chambers, Alan (North Down)
Clarke, Trevor (South Antrim)
Dickson, Stewart (East Antrim)
Dillon, Ms Linda (Mid Ulster)
Dobson, Mrs Jo-Anne (Upper Bann)
Douglas, Sammy (East Belfast)
Dunne, Gordon (North Down)
Durkan, Mark (Foyle)
Easton, Alex (North Down)
Eastwood, Colum (Foyle)
Farry, Stephen (North Down)
Fearon, Ms Megan (Newry and Armagh)
Ford, David (South Antrim)
Foster, Mrs Arlene (Fermanagh and South Tyrone)
Frew, Paul (North Antrim)
Gildernew, Ms Michelle (Fermanagh and South Tyrone)
Girvan, Paul (South Antrim)
Givan, Paul (Lagan Valley)
Hale, Mrs Brenda (Lagan Valley)
Hamilton, Simon (Strangford)
Hanna, Ms Claire (South Belfast)
Hazzard, Chris (South Down)
Hilditch, David (East Antrim)
Humphrey, William (North Belfast)
Hussey, Ross (West Tyrone)
Irwin, William (Newry and Armagh)
Kearney, Declan (South Antrim)
Kelly, Gerry (North Belfast)
Kennedy, Danny (Newry and Armagh)
Little Pengelly, Mrs Emma (South Belfast)
Lockhart, Ms Carla (Upper Bann)
Logan, Phillip (North Antrim)
Long, Mrs Naomi (East Belfast)
Lunn, Trevor (Lagan Valley)
Lynch, Seán (Fermanagh and South Tyrone)
Lyons, Gordon (East Antrim)
Lyttle, Chris (East Belfast)
McAleer, Declan (West Tyrone)
McCann, Eamonn (Foyle)
McCann, Fra (West Belfast)
McCann, Ms Jennifer (West Belfast)
McCartney, Raymond (Foyle)
McCausland, Nelson (North Belfast)
McCrossan, Daniel (West Tyrone)
McElduff, Barry (West Tyrone)
McGlone, Patsy (Mid Ulster)
McGrath, Colin (South Down)
McGuigan, Philip (North Antrim)
McGuinness, Martin (Foyle)
McIlveen, Miss Michelle (Strangford)
McKee, Harold (South Down)
McMullan, Oliver (East Antrim)
McNulty, Justin (Newry & Armagh)
McPhillips, Richie (Fermanagh and South Tyrone)
McQuillan, Adrian (East Londonderry)
Mallon, Ms Nichola (North Belfast)
Maskey, Alex (West Belfast)
Middleton, Gary (Foyle)
Milne, Ian (Mid Ulster)
Morrow, The Lord (Fermanagh and South Tyrone)
Mullan, Gerry (East Londonderry)
Murphy, Conor (Newry and Armagh)
Nesbitt, Mike (Strangford)
Newton, Robin (Speaker)
Ní Chuilín, Ms Carál (North Belfast)
Ó Muilleoir, Máirtín (South Belfast)
O'Dowd, John (Upper Bann)
O'Neill, Mrs Michelle (Mid Ulster)
Overend, Mrs Sandra (Mid Ulster)
Palmer, Mrs Jenny (Lagan Valley)
Poots, Edwin (Lagan Valley)
Robinson, George (East Londonderry)
Ross, Alastair (East Antrim)
Ruane, Ms Caitriona (South Down)
Seeley, Ms Catherine (Upper Bann)
Sheehan, Pat (West Belfast)
Smith, Philip (Strangford)
Stalford, Christopher (South Belfast)
Storey, Mervyn (North Antrim)
Sugden, Ms Claire (East Londonderry)
Swann, Robin (North Antrim)
Weir, Peter (North Down)
Wells, Jim (South Down)

Northern Ireland Assembly

Monday 7 November 2016

The Assembly met at 12.00 noon (Mr Speaker in the Chair).

Members observed two minutes' silence.

Private Members' Business

On-street Parking

Mr Speaker: The first item on our Order Paper today is a motion on a review of on-street parking. The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. One amendment has been selected and published on the Marshalled List. The proposer will have 10 minutes to propose the amendment and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

Mr Humphrey: I beg to move

That this Assembly believes that the mandatory £90 car parking fine should be reduced significantly; further believes that greater flexibility needs to be introduced to encourage trade across Northern Ireland by allowing for the first 30 minutes of parking to be free of charge across our towns and cities, and for on-street parking time limits to be extended in rural towns and villages; and calls upon the Minister for Infrastructure to review urgently the contract for on-street parking.

Having met traders across this city and, in particular, those in the city centre, I am concerned about car parking in the city centre. In particular, I am concerned about parking in car parks and about what my party and I see as punitive fines for members of the public who return late to their parking space. My mailbag has received considerable correspondence about the issue, as, I am sure, have those of Members across the Chamber. I think that the fine of £90, if someone is late, is too much.

I think that the fine needs to be reviewed, and I welcome the fact that the Minister is here in his place. Even if that fine is paid within a fortnight, it is still £45. Someone being made to pay £45

for being late to their car parking space is, frankly, far too much.

We need to strike a balance that is right between making sure that people want to come to our city and town centres to shop, spend money and generate wealth there and those who want to see greater usage of park-and-ride developments. I very much welcome that as a way forward. We have a number of park-and-ride facilities around the Belfast basin for bringing people into the city centre. As Members will know, we do have issues in that Northern Ireland has a largely rural population, with people tending to travel by car. Whilst there has been great progress with bus and rail transportation, particularly with Ulsterbus, we do not have the services that perhaps are needed to encourage people to come into our city and town centres. I should state clearly that I am speaking as a Member of the House and not as the Chair of the Infrastructure Committee, but, only a few weeks ago, we at the Committee listened to some arguments that were put forward by people who live in rural Fermanagh about the disconnectivity that there is of people who live in rural areas, even affecting getting in for a doctor's appointment never mind shopping or whatever in Enniskillen as the county town.

The pressures that our businesses currently face are pressures that are increasing. You only have to look at the arterial routes in the city centre of Belfast to know that those pressures are real. You see that through the number of shops that are closed. I do think that this Chamber needs to be much more responsive and listen to the views of traders.

Mr Clarke: I thank the Member for giving way. The motion talks about fines. Will the Member agree, from listening to shoppers, that the "redcoats", as they are often known, seem to be overzealous in how they do their jobs? We hear of people being fined for parking a few inches outside of the limits of a box. It seems to be more that they get an enjoyment out of punishing people than trying to work with

people to bring them into our towns and villages.

Mr Humphrey: I thank the Member for his intervention. Indeed, only last week, I witnessed a number of what the Member calls "redcoats" in South Belfast when I visited Sandy Row and saw the pressures there. It is the same in my constituency of North Belfast. I do think that we have to set guidelines, and those guidelines have to be adhered to. We do have to have laws that are implemented, and the House should be supporting those laws. We are calling for the Minister for Infrastructure to review the laws that are currently set out.

Given the other pressures that there are in our city and town centres from many aspects facing the business community, car parking is a key issue.

Mr F McCann: Will the Member give way?

Mr Humphrey: I am happy to give way.

Mr F McCann: On the back of the question that was asked by your colleague, I understand what he is saying. However, especially in the likes of Belfast, which is nearly all that we can speak about, an invasion takes place every day. People are crying out for redcoats to go in to help to deal with that.

Mr Humphrey: I thank the Member for his intervention. The Member and I served on Belfast City Council at the same time, and he will know from his time there that small communities that about the city centre, like Sandy Row, lower Falls, Brown Square and the Markets, are under pressure when people come seeking free parking there and not having to face any fee at all. Sometimes, people, many of whom live in settled communities like those and who are older members of the community, simply cannot get their car near their own door. Going back, there were a number of pressures that were recognised by the then Department for Regional Development when its Minister was Minister Murphy. However, those solutions were not solutions either because they gave people permits to park outside their own door and they could not be given certainty that they could park outside their own door. That is why the review is timely.

Look at the city centres. Along with my colleague Mr Stalford, I met some Belfast city centre traders only a few weeks ago and heard about the pressures that they are under. Members from those parties on Belfast City Council that took the recent decision can

explain the reasoning behind it, but the town and city centres that surround Belfast will be rubbing their hands at it. They are offsetting the costs of parking and allowing people freer access to their town or city centre to help boost their economy in the run-up to Christmas. I have seen stuff on Facebook recently where people who, for example, represent Lisburn are making the point, "Come to Lisburn, and you will get free parking". The decision by Belfast City Council seems to be wrong-faced, but, as I said, the parties who made it can explain the reasoning behind it.

Mr Stalford: I thank Mr Humphrey for giving way. The Member referred to the situation with the redcoats on Sandy Row. The actual problem is that the redcoats do not go into the likes of the housing estate off Sandy Row and instead spend all their time on the arterial route. We see that on the Lisburn Road as well. The consequence of their focusing on arterial routes is that people who want to stop there and spend their money in the shops are discouraged from so doing.

Mr Humphrey: I thank the Member for that. If Members are honest, they will say that that is something that they have heard across the city. As Mr McCann said, I can speak only for this city and the city centre of Belfast.

The other thing that Members need to bear in mind is that, because we are a rural economy, many people travel to our town and city centres in cars from rural parts of Northern Ireland. I did a wee tour on Saturday morning and went over to Boucher. I saw that, in and around Boucher Crescent where there is free parking, the car parks were completely full and the roads into those car parks were completely full. The number of cars there from the Republic of Ireland was hugely noticeable. We know the benefits that border towns such as Enniskillen, Newry and Londonderry have been receiving because of the exchange rate between the pound and the euro at this time. There was a piece on the news only last week about the benefits to the Newry economy in particular. Are we going to discourage those people who are travelling in their cars to our town and city centres by having this £90 parking fine?

There should be some flexibility for people who are a few minutes late, but, if people are significantly late and taking up a parking space that others could be using, yes, they should be fined. I would argue against myself if I did not make that point. However, £90 is just too much. For a working person with a young family, £90 is too much. We do not know the circumstances in which those people can be

placed. There should be flexibility around timing, the amount of the fine and people not being able to park inside the box. We have all arrived to park in a space and found a car parked outside the box and into your space. We know how annoying and difficult it is when you cannot get a space anywhere else and are trying to navigate into a tight spot. There needs to be flexibility around those things.

Mr F McCann: Will the Member give way?

Mr Humphrey: I will give way.

Mr F McCann: The motion calls for a review but goes on to predetermine the outcome of any review. The Minister has said that he is up for reviewing it. We should therefore support the amendment. We will then get a review, and we can all take part in the review process.

Mr Speaker: I ask the Member to conclude his remarks.

Mr Humphrey: I am not sure that the motion does have a predetermined outcome. We are asking the Minister to show some flexibility around the issues that I have set out. I very much welcome the tone of the debate so far —

Mr Speaker: The Member's time is up.

Mr Humphrey: — and took great pleasure in proposing the motion.

Mr Lynch: I beg to move the following amendment

Leave out all after "Assembly" and insert

"recognises the vital importance of adequate and affordable on-street parking for the growth and development of our town centres; notes the need for the Minister for Infrastructure to review the provisions for on-street parking; calls on the Minister for Infrastructure to carry out an investigation into the reduction of mandatory car parking fines; and further calls on the Minister for Infrastructure to look at options to review on-street car parking fees and times."

I will speak in support of the amendment and against the motion. Ba mhaith liom cúpla rud a rá faoin rún. I will speak first on a number of issues to do with the motion. Overall, I think that it is populist in nature. We all know — indeed, I have found out to my own cost on a number of occasions — that, if you pay the initial car-parking fine within 14 days, it is not

£90 but £45. The Member who spoke previously said that himself.

12.15 pm

Mr Humphrey: I am grateful to the Member for giving way. I accept that, if it is paid within two weeks, the fine is £45, but I have had a number of elderly people come to my office in a state of distress about these issues. Also, when you have a working-class family or a single-parent family who are under pressure, £45 is also a huge amount of money for them to find in the run-up to Christmas.

Mr Lynch: I thank the Member. I understand what he is saying, because our constituency office has similar types of people coming in. I was on the Regional Development Committee when the measure was brought in, and one of the things that we argued at the time was that it should not be a revenue-raising mechanism. The £45 offer is there to encourage people to pay promptly. I have been caught once or twice in that situation.

The second issue is allowing the first 30 minutes of parking to be free across our towns and cities, as outlined in the motion. That would be totally unmanageable, and it is unrealistic. It would need many more redcoats or enforcement agencies to enforce.

Mr Clarke: Will the Member give way?

Mr Lynch: Yes.

Mr Clarke: I am listening to the Member saying that it would be unworkable. Maybe you are going to elaborate on how it would be unworkable, given that all we are asking for is a review of the fines. It is going to take the same number of redcoats; all we are suggesting is that fine should be less.

Mr Hazzard (The Minister for Infrastructure): On a point of order, Mr Speaker. On a number of occasions this morning, DUP Members have said that all they are looking for is a review. The DUP motion does not ask for a review; the amendment might ask for a review, but the motion asks for the fine to be reduced.

Mr Speaker: I note the remarks of the Minister.

Mr Lynch: I accept and welcome the —

Mr Humphrey: On a point of order, Mr Speaker. I am thankful to the Minister for his intervention and am happy to provide some

clarification. I made it clear that we wanted, as part of the review, the fine to be looked at. So, I do not see any contradiction between my position and that of the Minister, quite frankly.

Mr Speaker: That is not a point of order, again.

Mr Lynch: As the Minister outlined, all those issues can be taken into account in the review.

As I said earlier, it would take many more traffic wardens to enforce the initial 30 minutes. You can imagine traffic wardens running back and forth to see whether the 30 minutes had run out. Again, how much would that cost? That would have practical issues around enforcement.

The aim of parking enforcement is to reduce the number of vehicles that are illegally parked. There are limited numbers of spaces in our towns and cities, as I know from Enniskillen. The issue is the effective use and management of the spaces. There is a need to tackle congestion and, at the same time, have affordable town-centre parking. In Enniskillen, it is £1 for five hours' parking; some do not agree with that, but the traders mostly accept it. I have spoken to traders in Enniskillen, where a new bypass is planned. A small number have said that the bypass would lose them business, but the majority argue that easing the traffic benefits the economy. If the new bypass gets the go-ahead, the through traffic in Enniskillen will be taken out of the town, easing congestion for those travelling there for shopping and trading.

The increase in fines for penalty charge notices (PCNs) in 2012 has worked in that the number of illegally parked cars is reducing. As I said earlier, it would be virtually impossible to manage having the first 30 minutes of parking free, which is what the motion proposes. Rural towns and villages operate one- to two-hour waiting times. How long do people want? The proposer of the motion spoke about people going to doctor appointments, and I know that people go into towns to get a haircut or whatever, but the current contract does not prevent any changes to waiting time and fines.

Our amendment recommends that a review takes place, as the Minister said. However, any review will need to be based on evidence and focus on reforms that work in the interests of managing limited on-street spaces effectively, improving the flow of traffic and enhancing the towns and cities that we live in.

Sinn Féin is calling for a review, and all the issues which the sponsors of the motion have outlined, and will outline, can be taken in that review. I think that this is a sensible way forward for the issue and I ask the House to support the amendment.

Mrs Palmer: There is some merit in the motion and in the amendment. All of us should be seeking to ensure smooth traffic flow in our towns and cities and that people can access parking spaces so that they can do business. It is essential that we support local traders and ensure that our town centres remain vibrant. However, we have to strike a balance because every car in a parking space means that that is one parking space that cannot be used by another motorist or shopper. It is important that we have proper regulation to ensure turnover and not have a large number of motorists driving around town centres searching for parking spaces because people are not moving from them.

I have a number of points to make. I ask the proposers of the motion to state what would be a more appropriate figure than £90. In any case, we should point out that, whilst the charge is indeed £90, if payment is received within 14 days of receiving a penalty charge notice, or within 15 days by letter, a 50% discount applies. You have to pay £45. That has been outlined in the debate thus far. The discount is offered to ensure prompt payment, and the 50% reduction seems to me to be exactly what the —

Mr Humphrey: Will the Member give way?

Mrs Palmer: Yes.

Mr Humphrey: I steered clear of setting out a figure to the House even though invited to do so by Mr McCann. We do not want to predetermine the outcome. In calling for a review, we want the Minister to have exactly that flexibility, but I think that a figure of £30, reduced to £15 if paid within the fortnight, would be sensible.

Mrs Palmer: I am happy to take that on board.

Mr Speaker: The Member has an extra minute.

Mrs Palmer: Thank you, Mr Speaker. The 50% discount is offered to ensure prompt payment, and it seems to me to be exactly what the proposers of the motion are calling for in terms of the charge being reduced significantly.

For some reason, this appears to be a DUP acting-alone motion, away from its coalition partners who control the Department responsible. One might reasonably have expected the DUP to run the motion past Sinn Féin before tabling it. Instead, we have a Sinn Féin amendment before us, which also takes a sensible approach. As you would say, it is probably not joined-up government.

Obviously, it would be great if we could free up parking everywhere, 24 hours a day. Nobody likes to pay for parking but, by the same token, people also want to access parking at locations convenient to where they want to shop or do business.

Mr Clarke: Will the Member give way?

Mrs Palmer: Yes.

Mr Clarke: The Member talks about freeing up parking and how people want parking spaces that are convenient. Nothing in our motion suggests that we are going to prevent that. All the motion indicates is that the punitive fine of £90 should be reduced because it is too expensive, particularly in rural villages. This is supported by the traders in our small towns, the people who depend on motorists stopping in those spaces and paying those fines. Traders are supporting us in wanting to reduce the cost for people to park on the street.

Mrs Palmer: Thank you. It leads us to look for a comprehensive set of measures, which could include looking at reducing business rates in small towns and villages. We are certainly open to the review of parking charges and measures as to how we can support town centres. There is certainly merit in exploring the impact which a comprehensive strategy would have. However, that is wider than what the motion before us calls for. We should also remember that most of the car parks were transferred to local government and are now run by councils, so they would obviously have to be consulted for their views of any overhaul. Indeed, devolving parking to councils is something that must be considered seriously.

With regard to the call for on-street parking time limits to be extended in rural towns and villages, as I have already stated, nobody likes to pay for parking but, by the same token, people want to be able to access parking at locations where they want to do business. Extending time limits could cause congestion, causing greater inconvenience for people who want to park but are unable to find a space. We must be aware of the law of unintended consequences.

Finally, we agree with the call on the Minister for Infrastructure to review urgently the contract for on-street parking, which is also reflected in the amendment.

Mr McCrossan: I am delighted to speak on the motion, not only as the SDLP spokesperson for infrastructure but as someone who, like many in the House I suppose, has been at the tail end of the odd fine now and again. I almost feel that I own a part of the tarmac in the car park outside my office in Strabane.

As we approach the busy Christmas period, this is a debate that we should be having. It is a very important one and is an issue that causes considerable frustration to many throughout our constituencies. It impacts heavily on those who are less financially well off, particularly the elderly, as Mr Humphrey mentioned, and single parents — people who are struggling to keep their heads above water or, in what will be a very cold winter, put fuel in their oil tanks at home. The debate is an important one, and I am glad that it has been brought to the House.

On-street parking is vital for many of our towns and villages in managing the flow of traffic effectively and supporting the local economy by providing parking access to our town centres. It is vital that this balance is struck proportionately and that people are not penalised for wanting to shop in town centres that are facing considerable challenges in trying to keep their heads above water in a very difficult economic climate, particularly in my own town.

I must remind the Chamber that, in 2012, fines were increased from £60 to £90 and that the then Regional Development Committee Chair moved a motion to block that change. Ironically, that Chair followed his party and voted against this amendment, yet here we are today with the DUP spinning busily around the proverbial roundabout proposing this motion, which it could have prevented four years ago. It is all very well saying that we are very concerned now, but it is four years too late when many people have been facing considerable stress in relation to what is a £90 fine.

Make no mistake about it: it is a £90 fine, because although there is a 14-day window, and that is the issue, many people who are paid monthly and are struggling cannot afford to pay that fine within two weeks. No one in the House will disagree with that. I ask the Minister to consider that when he reviews these circumstances.

Turning to the motion, I am not wholly against on-street parking restrictions because they are vital for the proper flow of traffic through cities and town centres, particularly in Belfast where there is considerable congestion. Each and every area has its own circumstances and, as the Member for Fermanagh said, different councils have taken different approaches. For instance, in the immediate aftermath of the reforms, Derry and Strabane District Council took away the five-hour car parking slot for £1. Omagh District Council kept it, but, having spoken to traders in Omagh, I know that it has caused them considerable difficulties with turnover and flow. There are considerable concerns in that regard.

I am concerned that fines are not handed out in a fair and proportionate way. We have all witnessed to some degree, redcoats, as they have been called in the House, handing out tickets for the slightest mistake. That causes concern for people, particularly those who may have difficulty in getting back to their car, whether they are elderly or a mother shopping with her children during the day. They might be 10 minutes over and have to pay a significant fine as a consequence. Is that realistic or necessary? Absolutely not. It is more about the approach to handing out fines.

I am aware that many people in my constituency have questioned the integrity of parking enforcement officers. I am sure that redcoats' jobs are not easy. They are doing what they are told to do, but some go way beyond that; you would almost think that they were commission-based.

Mr Stalford: Will the Member give way?

Mr McCrossan: Absolutely.

Mr Stalford: Does the Member agree that one of the reasons why people question the integrity of the system, if not the people implementing it, is that in certain parts of Northern Ireland your chances of being hit with a fine are considerably higher than in others? The Lisburn Road has become something of a golden goose for the redcoats.

Mr Speaker: The Member has an extra minute.

Mr McCrossan: Absolutely, there are certain areas. I remember a particular redcoat in the Strabane district who was almost handing them out like raffle tickets at one stage, and her colleagues had to pull her back slightly. It damages those people's safety as well, and it is

deeply frustrating having been on the tail end of it on one or two occasions.

I fully support providing the first 30 minutes free of charge, as it would be of huge benefit to town centres such as Strabane and Omagh. I am being parochial, but I am sure that, right across the board, not many will disagree.

12.30 pm

(Madam Principal Deputy Speaker [Ms Ruane] in the Chair)

Mr F McCann: Will the Member give way?

Mr McCrossan: Absolutely.

Mr F McCann: Can the Member tell us how that would work in practice, especially if you have town centres that are packed? You would probably have to triple the number of redcoats to keep the thing on balance.

Mr McCrossan: Every council area has a different approach to this. I am aware of some that have provided free parking, and it has worked considerably well. That puts those town centres at a distinct advantage over, for instance, mine in Strabane or Omagh. We need to address this, and a more local approach needs to be taken. I believe there could be some accommodation. As Glyn Roberts said today, it would be hugely welcome.

Mr Dickson: Will the Member give way?

Mr McCrossan: Yes.

Mr Dickson: I am concerned that the discussion that we have been having has been primarily, it sounds to me, in relation to off-street parking. The motion and the amendment are in respect of on-street parking and only on-street parking, so perhaps, when Members address that issue, they could address that issue.

Mr McCrossan: Yes, it is taken on board, but I think it is a wholehearted debate in relation to parking generally.

Madam Principal Deputy Speaker: Can the Member bring his remarks to a close?

Mr McCrossan: I will indeed. I think we are all aware of the points and how it affects our constituents on the ground and that the fines are far too heavy.

Madam Principal Deputy Speaker: The Member's time is up.

Mr McCrossan: We need a review and —

Madam Principal Deputy Speaker: I call Ms Kellie Armstrong.

Mr McCrossan: — I support the amendment.

Ms Armstrong: Thank you, Principal Deputy Speaker. As Alliance spokesperson for infrastructure, I confirm that we will not support the motion. With reservation, we will support the amendment.

Before joining the Assembly, I had the privilege of working in the field of transport for almost 16 years. For the last nine of those, I worked in partnership with organisations to improve access to services for older people and people with disabilities. During that time, the issue of on-street car parking featured regularly in our considerations.

On-street car parking can create havoc for citizens. Being able to find an appropriate car parking space can be a problem, but, for many with disabilities and for families with young children, it is bad parking that causes most concern and danger. The reason I cannot support the motion is the populist request to reduce parking fines. Let me be clear: I do not like parking fines. No one likes parking fines, but, if you park correctly, you do not get a fine. If you park badly, you will get a fine. That fine needs to be enough of a deterrent to stop people parking badly in the first place. The current fine level is enough to make a driver think twice about parking where or when they should not. I do not agree that the fine should be reduced, as that would reduce the deterrent.

As I said, Alliance will support the amendment with reservation.

Mr Stalford: Will the Member take a point?

Ms Armstrong: Not at this point.

I said "with reservation" because the amendment suggests the Minister should investigate a reduction in mandatory car parking fines. I agree that the Minister should review car parking fines. However, this should not be an investigation just to reduce fines but should consider if the level of fine is enough to be an effective deterrent.

Why is it important that we deter people from parking badly? Bad parking forces mums to

push a pram into the middle of the road. Bad parking forces people with visual impairments to go onto the road. Anybody who wants to find out more about this can contact Guide Dogs, who can show you just how difficult it can be. Bad parking prevents people who use wheelchairs from being able to use public footpaths. Bad parking takes up two spaces, preventing others from being able to park on-street. Bad parking blocks a bus lane, creating havoc for all road users at rush hour. Bad parking is the driver who decides to park in a clearly marked disability bay or on yellow lines. Bad parking is the fault of a driver who does not care who takes a risk. Bad parking happens when people are not deterred.

The mandatory fine is there to deter bad parking because of the negative impact it has on many people whom I have worked with over years. I encourage those looking to reduce parking fines to speak with the Inclusive Mobility and Transport Advisory Committee (IMTAC) and review their annual Baywatch reports, which highlight bad parking across Northern Ireland. With respect to a period of —

Mr Humphrey: Will the Member give way?

Ms Armstrong: Not at the moment.

With respect to a period of free on-street parking, I cannot support the 30 minutes specified in the motion. As a driver, I love free on-street car parking. In the villages and towns in my constituency of Strangford, there is free parking all day. In all those towns, you are permitted free parking up to a fixed time, and that time is set on the basis of local factors. In parts of Newtownards, you are allowed to park up to 60 minutes, but in other parts it is all-day free parking.

There are three controlled parking zones in Northern Ireland: Belfast, Lisburn and Newry. That is where this takes effect.

Mr Stalford: Will the Member please give way?

Ms Armstrong: I will give way.

Mr Stalford: I appreciate the Member giving way. The Member says that fines work. If fines work, why are my constituents in the city centre communities in the Market, Sandy Row and Donegall Pass tortured with people parking illegally? If fines work, the problem should not exist.

Ms Armstrong: I agree, and —

Madam Principal Deputy Speaker: The Member will have an extra minute.

Ms Armstrong: Thank you. I agree, but in 2012, when the fines of £90 were introduced, it fell dramatically. Residents' parking schemes need to be brought forward, and I will come to that.

Thirty minutes' free car parking in areas sounds good until you consider that the time specified will not help mums or dads to get their pram out of the car, get their child unplugged from the car seat, go to do whatever they need to do and be back and do the reverse of that within 30 minutes. The amendment calls for a review of on-street parking times; indeed, by having a review, the Department can consider whether there are any negative impacts, such as the one I just outlined, for people with dependants. Section 75 comes into play here, folks.

A review can also take into consideration all the businesses that are being negatively impacted on by parking arrangements. Local rural shop owners have come to me to say that all-day free car parking hurts their businesses. In the village of Kircubbin, for example, shop owners are losing business because some commuters leave cars on the street while they take the bus to work. Other shop employees leave their cars parked all day and block access to local shops. In some villages, they want to see the introduction of limited free parking in conjunction with residents' passes to ensure that residents do not face the issues faced in the controlled parking zone areas.

Parking is an emotive subject. Bad parking causes difficulty for other road users, particularly pedestrians. A responsible Government must, therefore, consider putting in place deterrents to prevent people from taking risks and putting others' lives in danger. None of us likes parking fines, but, if the fine is high enough, it makes drivers think twice about parking dangerously or badly. Let us have a review of free parking, and let us ask local businesses what they think. Let us also consider the wider issue of sustainable transport and how we will reduce emissions. Let us consider how we can prevent our towns and villages being clogged up with on-street parking and plan our parking better.

Mr Easton: There is real concern, especially among local businesses in our towns, that current parking issues and car parking fine levels hamper trade and cause real hardship for some of those businesses. In Bangor, there have been serious issues with the lack of available car parking provision for Main Street,

with such provision having been taken away under the recent public realm work. To bring shoppers back into our struggling town centres, there need to be incentives for shoppers to do so. It is not enough for businesses to put sales on continually; the public need and want easy access to parking, which will enable our town centres to compete with out-of-town shopping centres that offer attractive free car parking, which gives them an unfair advantage.

As is the case in England, Northern Ireland's towns and cities have suffered from significant decline over many years, principally due to the increased presence of out-of-town retail developments. That was a key conclusion in the Northern Ireland Assembly Social Development Committee's inquiry into town centre regeneration in 2009. There needs to be a rethink on the lack of free car parking spaces, a rethink on the level of fines and a rethink on the amount of time someone can have access to a car parking space free of charge. Shoppers want to be able to come into our towns in a way that does not cause them hassle and lead to complications, and the only way to do that is to encourage them in through easier parking.

Mr Humphrey: I thank the Member for giving way. The point that I wanted to make to the Member for Strangford, who would not give way, is that, in the Member's constituency of North Down — in Bangor and Newtownards, for example — people can park for up to one hour free, as he outlined. Why is it, do you think, that that does not apply to people in some of the most deprived wards in Northern Ireland in the city of Belfast? Surely there is a clear imbalance. Does the Member agree?

Madam Principal Deputy Speaker: The Member has an extra minute.

Mr Easton: Thank you. There certainly seems to be an imbalance across Northern Ireland. There does not seem to be the same approach. That needs to be addressed urgently.

A negative and costly experience in any town will have an impact on someone's decision to return to shops there. That is coupled with the extortionate fines being handed out to those who are only minutes late back to their car: they get £90 fines. That, however, is reduced to £45 if it is paid within a certain number of days, which, I believe, is 14 days. A total of £4.5 million has been raised from parking penalty charge notices from 2015 up to March 2016. That figure was given in response to an Assembly question from my colleague Carla

Lockhart. I found it disturbing that the response to the question stated:

"Therefore the revenue received from parking PCNs is required to finance the services my Department provides."

It is deeply worrying that the Department for Infrastructure is relying on penalty charge notices. In my opinion, overzealous car parking attendants are actively competing to raise as much revenue as possible as an alternative source of income for the Department. That is wrong. It sends out the wrong message, damages local businesses and needs to be addressed.

In fact, it was the then Ulster Unionist Regional Development Minister who announced — without any shame, I might add — his intention to generate income of £2.1 million from off-street car parking charges in provincial towns and from on-street charges.

The majority of on-street parking is free, with exceptions in Belfast, Lisburn and Newry. Usually, drivers are allowed to park for one hour before having to move. In my opinion, that needs to be reduced to 30 minutes to encourage more people to go into their town to get their messages and move on so that others can then afford of the same time, thereby encouraging quick access and helping more people to afford parking. I do not see the need for drop-off points, such as the one created in Main Street, Bangor, which took away further car parking spaces, was not even wanted by traders and is still abused by delivery van drivers who cannot be bothered to go to the loading bays at the rear of the shop premises.

The Department remains the transport authority and retains responsibility for on-street parking. It is vital that the Department starts to listen to the needs of local businesses in struggling town centres, and that means working with councils and preparing local transport strategies. I understand that the Department is looking at this, but it is taking far too long. It needs to take an approach much more quickly, as time is everything to local businesses. A Northern Ireland Independent Retail Trade Association (NIIRTA) report recommended 80 policy priorities for local economic development and that DRD devolve on-street car parking to councils to give them more responsibility for developing the potential of their towns. Councils should give discount on their off-street car parks at key times, such as Christmas and other festivals. Free one-hour on-street car parking in 30 towns should continue. Indeed, it should be extended to all towns, including

Belfast, Lisburn and Newry, but lowered to 30 minutes.

Mr F McCann: Will the Member give way?

Mr Easton: Sorry, I am coming to the end.

In conclusion, urgent action is required to reduce the burden of fines and increase flexibility in order to encourage shoppers into our town centres. Transport NI should start to listen for a change. The Minister needs to move quickly and look at this as a matter of urgency for our local businesses and shoppers.

Mr Robinson: Representing a constituency with a large rural economy, I fully understand the motion and happily support it. In many of our rural towns, street parking is essential for businesses to remain viable. In our medium-sized and larger towns and cities, which have substantial car parking availability, the need for a pragmatic approach is plausible. That is why I see a period of free parking as an encouragement to shoppers to use the car parking provided rather than blocking side streets.

The motion states that the first 30 minutes should be free, but I am aware that smaller towns would like that period to be extended. As our economy begins to grow, we should encourage the population to come into our towns and spend money in the shops, socialise and have a meal or a coffee, though I fully appreciate that online shopping is a reality and here to stay. However, limited free parking and lower fines could help to boost the retail sector by encouraging footfall on our streets as the economy grows. It would mean more employment in retail and less dependency on benefits — a win-win situation.

My office deals with many people who are irate at the price of a parking ticket. This does not mean that they or I condone illegal parking, but I believe that the penalty should be lower. I have been told very definitively what people think of the fine level. Punishment can still be applied but at a level that would be seen as more appropriate. For many — unless you are Stephen Nolan — £90 can mean real financial hardship, even when the individual accepts that they were in the wrong. I ask the Minister to carefully examine the motion, taking into consideration the impact that parking fines and the cost of car parking has on rural towns, and to proactively address the problem as a matter of importance in developing our town centre economies. I support the motion.

Mr Smith: The motion calls for tactical changes to address what is a strategic problem. Of course, the lack of free car parking is a source of competitive disadvantage for our town centres as compared with out-of-town shopping centres with plenty of free parking. However, if the objective of the motion is to encourage trade across Northern Ireland, it is very one-dimensional in its approach.

12.45 pm

My colleagues Jenny Palmer and Danny Kennedy submitted an amendment calling for on-street car parking to be included within a comprehensive set of measures to encourage greater trade in our cities, towns and villages, but unfortunately it was not taken. The motion calls for a review, which we are happy to support. However, we have issues with some aspects of the motion and believe that the amendment provides a more rounded and practical way forward.

The motion proposes that the £90 car parking fine should be significantly reduced, but figures released by the Department last year showed that only 7% of penalty charge notices were paid at the full £90 rate, with a further 3% paying an additional penalty to make a headline cost of £135. Sixty-seven per cent, two thirds, paid the discounted fine of £45 for payment made within 14 days of the PCN being issued. The remainder of those who were fined were either in the process of challenging the fine, and many of them managed to evade it, or were part of a small 5% who were in various stages of debt recovery.

Mr Stalford: Will the Member give way?

Mr Smith: Yes, certainly.

Mr Stalford: Will the Member agree that one of the things that really frustrates people about the system is its total inflexibility? For example, I was dealing with a constituent whose care worker was fined because her car was parked where it should not be while she was in his house administering medication to his wife.

Madam Principal Deputy Speaker: The Member has an extra minute. I will just remind Members that they should not refer to amendments that have not been accepted.

Mr Smith: Duly noted, Principal Deputy Speaker. I take Mr Stalford's point. Certainly, there needs to be flexibility in the system. That is why a review is required. I am sure that the Minister will weave that into his proposals. The

bottom line is that the £90 fine is paid only by a very small minority. I am not sure how the reduction to the headline rate would improve the situation. There is no doubt that a lack of free and accessible car parking is an issue for shoppers and traders, but, as I said earlier, this needs to be looked at strategically.

What role can improved public transport, for example, play in bringing shoppers into town centres and making towns more attractive by reducing traffic congestion? If the disincentive to park badly, causing inconvenience and potentially danger to others, is reduced, what would be the negative impact on town centres resulting from this proposal? What package of improvements is needed to incentivise retailers and traders to locate in town centres with the ongoing growth in online sales in so many sectors? I know that the Finance Minister is reviewing non-domestic rates and the issue is a priority for the Committee for Finance as well. At one of our recent meetings, the research pack highlighted the difference in rates bills of a traditional retailer and an online trader with similar turnovers. The example that it used, which is maybe not a great one for Northern Ireland, was Harrods versus the online retailer ASOS. Both companies have similar turnovers — £716 million for Harrods compared with £769 million for ASOS — but Harrods pays rates of £11.5 million per year while ASOS pays less than £1 million. I appreciate that these are not on the same scale as Northern Ireland, but the example effectively illustrates the problem.

Therefore, there needs to be a holistic approach to town centre development and car parking. While car parking plays a significant role, it is only one factor in a range of many. If we really want to localise on-street car parking and provide a tailored solution to each town and area across Northern Ireland, we need to devolve the power to local government. Councils will then be able to provide a bespoke service that suits the requirements of the town centres in their areas. This solution is supported by NILGA, NIIRTA and, as I have noticed in previous debates, many in the Chamber. The proposal for the first 30 minutes to be free affects only, as many have said, Lisburn, Newry and Belfast. I think that that further illustrates the need for local solutions to local problems. Until that long-term solution can be implemented, I would support —

Mr Humphrey: Will the Member give way?

Mr Smith: I am finishing now. I am sorry.

I would support a full review of on-street car parking by the Minister for Infrastructure. I

hope that the Minister can outline his proposals to do this in his response to the debate.

Mr McNulty: I welcome the debate and support the motion. Complaints about parking fines, tickets or overzealous parking enforcement officers — "redcoats", as they have been called in the Chamber — are issues that come into every one of our constituency offices.

Time and time again, we hear of inconsistency in the approach to parking enforcement across the North. Shopkeepers say that the redcoats drive trade out of our town centres and into out-of-town multinational retail parks. While the multiples play a vital part in our economy, we must do more to protect and grow our town centres, indigenous businesses and our SMEs. Traders, particularly small, independent retailers, find it tough enough to survive at the minute. They are competing with online shopping, the upwards re-evaluation of business rates a couple of years ago and the parking regimes in many of our towns and cities.

As we are all aware, responsibility for off-street parking transferred to councils last year. It is seen as a success, giving local authorities the power to use reduced-rate parking incentives as a way of attracting shoppers into our towns and villages. Newry, Mourne and Down District Council has set parking fees at 40p an hour or three hours for £1 in Newry. Armagh City, Banbridge and Craigavon Borough Council has opted for 30p an hour or five hours for £1 in Armagh city. That is local decision makers making decisions that best fit their area.

No one likes to get a parking ticket. When someone is unfortunate enough to get the dreaded note under their wiper, we want them to learn a lesson. We do not want to deter them from entering our town centres in the future. On-street parking is charged for in Belfast, Lisburn and Newry, whereas it is free, with time restrictions, across the rest of the North. Those paying for on-street parking pay between 8.00 am and 6.00 pm. The SDLP wants to see the current regime reviewed. The system for charging and fining must be fair and equitable. One frustrating complaint that I have had is from delivery drivers, especially in Newry. They constantly tell me that they find it increasingly hard to make a delivery without getting a ticket.

Mr F McCann: Thanks for giving way. You said at the start that you supported the motion, but you then called for a review. That is what the Minister advocates.

Madam Principal Deputy Speaker: The Member has an extra minute. Beidh nóiméad sa bhreis ag an Chomhalta.

Mr McNulty: Correction: I support the amendment.

The redcoats are not only driving customers out of towns but disrupting the daily operation of business. What is more frustrating is the inconsistency. One attendant can be accommodating one day whereas a different attendant the next day can be ruthless and completely inflexible. I am mindful of the tough job that parking enforcement officers have and of the fact that they are trying to earn their corn.

We need to see the system reviewed. We need to take on board the views of motorists, traders and delivery companies alike. We need to see engagement with local government, town centre groups and Chambers of Commerce. We need to ensure traffic turnover while accommodating the needs of shoppers. Can the fee be reduced? Can the time to pay a reduced fee be extended from two weeks to one month? Do we have enough parking available in our cities, towns and villages? I want to see a review of on-street parking charges, particularly those in Newry. Why does charging happen in Belfast, Lisburn and Newry but nowhere else? Is it really necessary? A serious discussion is needed. Let us have it, and let us engage with those whom I have mentioned. I support the amendment.

Mr Dickson: I will be brief. My speech is primarily to support many of the points that my colleague Kellie Armstrong raised. I will concentrate on the proposal for the first 30 minutes of on-street car parking being free. That would prove incredibly problematic for the Minister, the Department, officials and, ultimately, those who have to enforce it on the ground. We all know that the traffic wardens have a route that they follow. They will know instantly when somebody has put a ticket —

Mr Humphrey: I am grateful to the Member for giving way. Does he agree that the economies of Belfast, which is the economic driver for the region, Lisburn, which is an important and growing city, and Newry, which deals so much in cross-border trade, are vital? How does what he says apply in Bangor and Newtownards, where the first hour is free? Is he not arguing against himself?

Madam Principal Deputy Speaker: The Member has an extra minute.

Mr Dickson: I am not arguing against myself — I am arguing that we want to make this clear. We need clarity on parking. When somebody parking on the street buys a ticket and puts it on their windscreen, the parking enforcement staff know when that person commenced their parking. If the first 30 minutes were free, it would be very difficult for them to know when that time started, particularly in Belfast and other towns where on-street parking is important to create a flow and changeover of people parking. That is the real lifeblood for shops and businesses and for appointments and cash machines on the street that people are required to use.

Members have said today that they do not relish the thought of having to pay a parking fine. No one relishes the thought of having to pay a parking fine, but, unless the penalty — everybody knows what the penalty will be — is a large sum lodged in your head and very clearly known, then it fails to act as an appropriate deterrent. There is a derogation; it is reduced to £45. People accept that that is a reasonable sum to pay in the event of default.

There are also very clear guidelines. There are Members in the Chamber who have tried to throw up some smoke and mirrors in terms of the operation of parking enforcement officers. The reality is that they work to very strict guidelines on the amount of additional grace time given, which is exactly 10 minutes. My concern is that if we start to confuse all of those elements, we make it more difficult for the parker, for enforcement and for shoppers and those who wish to trade on high streets and streets across our province where these rules are applicable.

The Alliance Party, as my colleague has said, will not support the motion, but we will support the amendment because it invites the Minister to provide further clarity but does not require him to reduce the penalty.

Mr Hazzard: I welcome the opportunity to speak on the motion today. There appears to be an awful lot of confusion between on-street, off-street and the entire issues that we are discussing today.

As Minister for Infrastructure, I have overall responsibility for ensuring that we have an efficient and safe transportation system in the North. This includes ensuring that vehicle drivers have access to the various business and retail sectors in our town and city centres. In order to deliver this, my officials and their service providers have two tools at their disposal, namely, parking provision and the

associated tariffs and parking enforcement. Correctly levelled tariffs are aimed at ensuring there is a turnover of parking provision whilst, at the same time, allowing vehicle users enough time to go about their daily business.

I welcome the opportunity to debate the issues relating to adequate and affordable on-street parking for the growth and development of our town centres. I have listened with interest to the issues and concerns that Members have raised. The main issues of concern relate to the current cost of a penalty charge notice (PCN) and the provision of cheaper and longer on-street car parking. Our aim is to reduce the number of illegally parked vehicles on the road. We want to reduce congestion, thereby improving the vitality of our towns and cities. We do not want to issue PCNs, but if we have to, we will. We want everybody to park properly; that has to be the message that is heard today.

The cost of a PCN increased to £90 on 1 June 2012, and it is discounted to £45 if paid within 14 days. Indications are that this charge is having the desired effect of discouraging people from parking illegally, as the numbers of PCNs issued per annum has declined. The overall trend of the number of PCNs issued has been downwards, even though car and van ownership continues to increase, and that is an indication that the deterrent nature of the cost of a PCN is having a positive effect. The number of penalty charge notices issued has fallen from an all-time high of 163,000 in 2007 to 110,000 in 2015, despite the number of vehicles rising in that same period by up to 5%.

The area in which on-street charges apply is called a controlled parking zone (CPZ). We have three in city centres here, namely Belfast, Lisburn and Newry.

1.00 pm

The pay-and-display machines currently in use in our controlled parking zones cannot be configured to allow the tariffs to be charged in this way as they are not designed to accommodate a multi-layered range of tariffs. To carry out parking enforcement for any system introduced that offers the first 30 minutes of parking free would be extremely resource-intensive. This is because traffic attendants would be required to undertake a series of additional observations to enable them to determine the validity of parking times being claimed.

Currently, traffic attendants patrol streets in controlled parking zones two or three times per

day by adhering to predetermined schedules known as beats. Each beat has been designed to optimise the resources available to obtain maximum efficiency and effectiveness. When patrolling the streets in a controlled parking zone, traffic attendants must check each parked vehicle for evidence of a valid parking ticket ie that a pay-and-display ticket has not expired or that it has an equivalent cashless parking session logged. This involves traffic attendants making a single pass of each street as they continue to patrol the remainder of their beat. Then, as part of the cyclical process, they will repeat this process later in the day to deal with any vehicles with expired parking time and record details of any newly parked vehicles.

The success of any restricted parking facility relies on effective parking enforcement. For the enforcement of any system that enables free parking for the first 30 minutes to be effective, traffic attendants would be required to return to each street on multiple occasions to carry out checks on each vehicle to determine the validity of its parking status. This would be detrimental to our ability to meet all the enforcement demands across each CPZ and in other critical situations which rely on parking enforcement, such as urban clearways and arterial routes. Offering free on-street parking in this way would also create a negative impact as a result of drivers circling the controlled parking zones to avoid parking in charged off-street car parks where the 30-minute free parking rate would not apply.

Turning to the review of the parking enforcement contract; the current contract with NSL Services for the provision of parking enforcement and car park management services commenced on 30 October 2012 for an initial four-year term and has recently been extended by mutual agreement for a further three years. That contract does not affect any decision my Department may take in the future relating to the cost of a PCN, on-street parking tariffs or limited waiting times.

Turning to comments made by Members today, William Humphrey, in a gallant effort to step in for Edwin Poots who was due to kick off today's session, mentioned traders. It is an emotive issue that comes up time and again, but we need to look at evidence. I have yet to see studies, reports or evidence that lead me to believe that we should do one thing or another and it is something that I want to address.

Mr Humphrey: I thank the Minister for giving way. If you go into Belfast — and I speak as a Belfast representative — then the number of shops that have closed is noticeable,

particularly in the traditional shopping areas such as Donegall Place and Royal Avenue and so on. There has been a shift towards the new Victoria Centre. When you talk to the Chamber of Commerce and businesspeople, as we did a few weeks ago, and when you look at the shops that are empty, the traffic chaos, the buses that are unable to get round and the people who are unable to flow into the city to do their shopping, you can see that the city centre traders are really under pressure. In Northern Ireland, we do not have a level playing field as regards Belfast, Lisburn and Newry: those city centres are under real pressure.

Madam Principal Deputy Speaker: I remind Members that interventions should be short.

Mr Hazzard: The Member mentioned improving the flow into our cities but the DUP is suggesting here today that we take away or reduce one of the tools we have to deter people from parking in urban clearways and main arterial routes — the £90 or £45 charge. I know that £15 has been thrown out by the DUP today but, if we reduced it to that, I would be very worried at the impact it might have on urban clearways and main arterial routes.

Ms Dillon: Will the Minister give way?

Mr Hazzard: I will indeed, yes.

Ms Dillon: I heard the £15 amount thrown out as well, and some people might say that that would be cheaper than paying in a car park and that they could park wherever they want. I am not sure that it would be much of a deterrent in the city centre.

Mr Hazzard: I thank the Member for her intervention. Again, it raises an important point.

The comments of both Kellie Armstrong and Philip Smith helped to shine a light and bring a bit of reason to this debate, especially those from Ms Armstrong with her background in community transport. I listened with great delight to an awful lot that the Member said. The central message was that you get a fine only if you park illegally; if you do not park illegally, you do not get a fine.

Mr Clarke: Will the Member give way?

Mr Hazzard: I am sorry, but I want to go on. Members complained about the black-and-white nature of this, but it is because we are talking about laws: if it is illegal to park in a

certain fashion, it is illegal to park in a certain fashion.

Many Members touched upon — this will be part of any review — the need to look at a differential penalty system. Parking two or three inches outside a parking bay should not carry the same weight as blocking a main arterial route into the city. I am more than happy to look at that. Certainly, for me, that would be part of a wider review that the amendment calls for.

Mr Clarke: Will Member give way?

Mr Hazzard: Yes, go ahead.

Mr Clarke: Minister, I am a bit annoyed about the term "illegal". Yes, in definition it possibly is, but we are talking about individuals who have been at an appointment that has overrun and have come back to their car park five minutes after the time has expired. We are talking about flexibility. A £90 fine may be reduced, but that is still excessive.

Mr Hazzard: The Member is being misleading. There is a 10-minute observational period. A person coming back after five minutes will be totally fine because there is a 10-minute observational period. The observational period has to come to an end; we cannot have it being 20, 25 or 30 minutes as you start eating considerably into another hour. There is a 10-minute window, and there is flexibility in the system.

You can appeal, and there are three stages. You can challenge, and it is dealt with within 14 days of receipt of the PCN by the parking enforcement unit; the second stage is representation, which is dealt with between days 14 to 30 by the enforcement unit; the third stage is appeal, which is dealt with by the parking penalty tribunal. There are flexibilities, and each appeal is considered on its merit. It is not accurate to suggest that there are not sufficient flexibilities in the system.

Mr Durkan: The Minister talks about flexibilities in the system. We are aware of the reduced penalty available to people who pay within 14 days. Will the Minister consider introducing new flexibility and giving people a bigger window when they can avail of the reduced fee, maybe 28 days, so that people who are paid monthly or those on low incomes can avail of that reduction?

Mr Hazzard: I thank the Member for his intervention. The Member has flagged up why

there is worthiness to a review, but we should have a review that looks at all the issues and not simply, "Let's reduce parking fines". Let us look holistically at all the issues to see the best way forward.

Another issue raised was that, somehow, this is a cash cow for the Department and that it is about raising money for the Department. In the years ahead, certainly while I am Minister, I hope that no PCNs are made. I hope that people park within the law and that there is no revenue at all coming from this area for the Department.

It is the same with bus lanes. I hope that people do not have to pay the sort of money. Again, to go back to the remarks of Philip Smith, and this gets to the heart of the discussion, the motion is a tactical error to a strategic problem. There is a certain validity in looking at the strategic issue of on-street car parking and the way forward, and that is certainly something that I am happy to do. At the heart of the motion —

Ms Bailey: Will the Member give way?

Mr Hazzard: Sorry, I want to finish this. At the heart of the motion is a seriously misguided logic. The four pillars of the motion collapse under even a cursory examination of the evidence, leaving the motion entirely unworkable, unmanageable and full of unintended consequences for our attempts to improve traffic flow and to breathe life into town centres.

In conclusion, I am happy enough to look at a review; it is certainly something that I will take forward. However, my review will be based on the principles of evidence, focused on reforms that work in the interests of managing limited on-street spaces effectively, improving the flow of traffic, and conducive to town-centre growth and vitality.

Mr F McCann: The Minister raised a number of the issues that Members brought up about the motion, so I will try to condense what has been said and the issues that have been raised. I have no doubt about William Humphrey's sincerity because we all deal with difficult problems in centres, and he spoke of the fines being punitive and talked about the need for balance and that the additional penalty of £45 needs to be reviewed.

Seán Lynch said that the motion is populist and that the fine of £45 is to try to reduce problems

and is only increased to £90 when people do not pay.

Jenny Palmer said that there is merit in both the motion and the amendment, but she went on to say that the amendment, because it takes in a review, is probably the best way forward.

Justin McNulty said that there are inconsistencies in the approach across the North. He talked about trading competing with online shopping and said that we need ways to encourage people back into town centres.

Stewart Dickson said that 30 minutes' free parking would be problematic for the Minister and that there needs to be clarity on these matters, especially when free parking is available. He also said that £45 is a reasonable sum of money when you consider what it is there to do.

Alex spoke about the serious issues in Bangor. I would have been surprised if he did not raise the issue of Bangor in the midst of his speech; in fact, I am surprised that he did not get a couple of other parts of his constituency into it also. He made a point about the difficulties that people face, especially when shopping, and about trying to encourage people back in to shop. He also spoke about overzealous parking attendants, which seemed to be a theme that ran through many of the issues that Members raised.

George Robinson said that he represents a large rural constituency where on-street parking is essential in towns and villages and that we should, again, encourage people to come into towns. He also said that a reduction in fines would be a great help, but punishment could still be applied on certain occasions.

Philip Smith said that the amendment offers a more rounded approach. He gave statistics on the payment of fines and said that there are very few who do not pay. He said that a review is required, and he is sure that the Minister will take that on board.

If I have left Members out, I apologise. The Minister said that he would do a review and take on board what Members said here. He said that the review will be wide and encompass everything.

I will just make a few points.

Mr Poots: Thank you very much for giving way. On the basis of the last figures that I found available, which were for 2012, it was costing over £9 million to NSL. Given that there are

115 operatives on the streets of Northern Ireland, do you think that £80,000 per redcoat is good value for money and, therefore, that the matter should be reviewed?

Madam Principal Deputy Speaker: Beidh nóiméad sa bhreis ag an Chomhalta. The Member has an extra minute.

Mr F McCann: I take on board what you are saying, but I think that it has been mentioned here that, when the Ulster Unionists were speaking, they did not speak about when their party member was the Minister and what was done then. Certainly, the DUP did not say that this could have been dealt with when it had the Ministry the last time around.

I think that what the Minister is offering here is a balanced way out of this. He is offering to do a review that will allow Members — certainly, the Committee will take it on board — to have an input. It is about trying to find a happy medium that does not punish people unduly, which encourages people back into town and city centres, and which deals with the serious problem of people parking and blocking communities in city and town centres unduly. What we need is a free flow of traffic in many of those centres, and the only way that you can have that is by ensuring that you have in place procedures that allow you to deal with what people would call illegal parking.

Mr Humphrey: Will the Member give way?

Mr F McCann: Yes.

Mr Humphrey: The Member, like me, has the honour to represent the great city of Belfast, and he talks about the free flow of traffic. The difficulty in encouraging people to park their car and travel into Belfast city centre is the fact that there is a continual logjam of buses in the city centre, preventing a free flow of traffic and people from going into the city centre to shop and support the local economy. Does he agree with that?

Mr F McCann: I agree that there have been problems with buses in the city centre for many years. I think that there has been a reduction and that, in a number of parts of the city, the rapid transit scheme will be another plank to encourage people to use public transport to come into the city. What the Minister and all Ministers who have held the post have said —

1.15 pm

Madam Principal Deputy Speaker: Will the Member bring his remarks to a close?

Mr F McCann: — is that we need to encourage more and more people to use public transport. If we can crack that nut, we can start to tackle and defeat the problem of parking in city centres, town centres —

Madam Principal Deputy Speaker: The Member's time is up.

Mr F McCann: — and villages.

Mr Stalford: Having listened to the debate, I think that it is unfortunate that so many Members appear to have missed the point of the wording of the motion. It clearly calls for a review. It does not prejudice the outcome of that review; it calls for a review.

Parking is an enormous issue in South Belfast. I think particularly of the communities that I represent in the city centre area in Sandy Row, Donegall Pass and the Market, where people are tortured as a consequence of people using their neighbourhood as a car park. Various Members have told us that there has been a reduction in illegal parking: I have to say to the House and the Minister that that is not the experience of the people living in the Market, Sandy Row or Donegall Pass. The experience of people living there is that, despite the fact that fines went up — we were assured that that would be a massive deterrent to illegal parking — the problem has persisted. The Minister is, of course —

Ms Hanna: I thank the Member for giving way. Does he agree that there are no activated residents' parking schemes in Northern Ireland and that it is time for the Department to formalise one? We appreciate that there are some problems, but those could act as a model for others.

Mr Hazzard: On a point of order, Madam Principal Deputy Speaker. That is not true.

Mr Stalford: I have asked the Minister an Assembly question and hope that he will respond positively to Pakenham Street off Donegall Pass being treated as a pilot for residents-only parking. It is something that people want to see, and, if it is got right, it will help —

Mr F McCann: Will the Member give way?

Mr Stalford: One second. If it is got right, it will help to alleviate the suffering of the inner-city communities that are afflicted by excessive parking. I give way.

Mr F McCann: I have been involved with those communities, and I can understand what you are saying. William spoke earlier about the communities that are invaded every day. A Sinn Féin Minister brought the issue of residents' parking to the fore, but it fell apart because a number of residents' groups would not accept some of the passes that were offered, although they had been offered a pilot scheme for a year in which that could all have been worked out. We need to get them back and make an offer again. A couple of weeks ago, the Minister announced that he had brought in a residents' parking scheme in Derry. *[Interruption.]*

Madam Principal Deputy Speaker: I remind Members that, if they are making interventions, they need to be brief. I also ask Members to talk through the Chair.

Mr Stalford: The Member has made his point and eliminated the chance for me to make a few of mine. I am grateful to him for that contribution.

As my colleague William Humphrey said, Belfast city centre is vital, so Belfast City Council is able to provide all the services that it does to all the people throughout the city. At present, our arterial routes — I think particularly of the Lisburn Road — are being damaged because of the excessive zeal being shown by parking enforcement officers. If you speak to traders on the Lisburn Road, they will tell you that that is the case.

People would welcome the idea of the first 30 minutes of parking being free. It would allow them, in the case of, say, the Lisburn Road, to park, visit one or two shops and then get back in their car and get out. It would also help those in Sandy Row in a fortnight's time —

Mr Humphrey: Will the Member give way?

Mr Stalford: In a minute. In a fortnight's time, it would also help those in Sandy Row to park and go into the office of their local DUP Assembly Member and have a conversation for half an hour and then leave without the risk of being fined by a parking enforcement officer.

The fact is that the appeal process, which the Minister referenced, is a joke. I would be interested to hear in raw numbers and

percentage terms the number of appeals that are upheld. During the debate, I referenced a case that I dealt with in which a care worker visiting an elderly man was fined because part of her car was on a double yellow line. She was fined even though she was in a house administering medication to an elderly person. It is the total inflexibility of the system that lots of people —

Ms Dillon: Will the Member give way?

Mr Stalford: I do not have time. I am sorry; I would.

Lots of people find it very frustrating. People want more flexibility in the system, and that is what our motion calls for. Even though the fines went up, the parking problems persist. It is having a damaging impact on the city centre by discouraging people from going there. I have spoken to traders who have said that. I never thought that I would see charity shops on Royal Avenue, but that is what Belfast city centre has been reduced to. We need to take action in this area not only to protect our vital city centre trade but to give people a fair shake.

Question put, That the amendment be made.

The Assembly divided:

Ayes 57; Noes 32.

AYES

Mr Aiken, Mr Allen, Ms Archibald, Ms Armstrong, Mr Attwood, Mrs Barton, Mr Beattie, Mr Beggs, Mr Boylan, Ms Boyle, Ms S Bradley, Ms Bradshaw, Mr Butler, Mr Chambers, Mr Dickson, Ms Dillon, Mrs Dobson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Ford, Ms Gildernew, Ms Hanna, Mr Hazzard, Mr Kearney, Mr Kelly, Mr Kennedy, Mrs Long, Mr Lynch, Mr Lyttle, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCrossan, Mr McElduff, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McKee, Mr McMullan, Mr McNulty, Mr McPhillips, Ms Mallon, Mr Maskey, Mr Milne, Mr Mullan, Mr Murphy, Mr Nesbitt, Ms Ní Chuilín, Mr O'Dowd, Mrs Overend, Mrs Palmer, Ms Seeley, Mr Smith, Ms Sugden, Mr Swann.

Tellers for the Ayes: Mr Lynch and Mr F McCann

NOES

Mr Allister, Mr Anderson, Mr M Bradley, Ms P Bradley, Mr K Buchanan, Mr T Buchanan, Ms Bunting, Mrs Cameron, Mr Clarke, Mr Douglas,

Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Humphrey, Mr Irwin, Mrs Little Pengelly, Ms Lockhart, Mr Logan, Mr Lyons, Mr McCausland, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Robinson, Mr Ross, Mr Stalford, Mr Storey, Mr Weir.

Tellers for the Noes: Mr McQuillan and Mr Robinson.

The following Members voted in both Lobbies and are therefore not counted in the result: Mr Agnew, Ms Bailey

Question accordingly agreed to.

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly recognises the vital importance of adequate and affordable on-street parking for the growth and development of our town centres; notes the need for the Minister for Infrastructure to review the provisions for on-street parking; calls on the Minister for Infrastructure to carry out an investigation into the reduction of mandatory car parking fines; and further calls on the Minister for Infrastructure to look at options to review on-street car parking fees and times.

Addressing the Past

Madam Principal Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. As two amendments have been selected and are published on the Marshalled List, an additional 15 minutes has been added to the total time. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. The proposer of each amendment will have 10 minutes to propose and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes. Before we begin, the House should note that the amendments are mutually exclusive, so, if amendment No 1 is made, the Question will not be put on amendment No 2.

Mr Attwood: I beg to move

That this Assembly believes in a victim-centred approach to addressing the past and that victims and survivors should have a meaningful input to the content and design of legacy proposals; further believes that justice, truth and accountability, acknowledgement and support for victims and survivors are essential elements in a comprehensive approach to the past; notes the comments by the Secretary of State for Northern Ireland on a public phase on legacy proposals; and calls on the British and Irish Governments for an urgent, renewed effort to conclude legacy issues, including the further development of the proposed roles and powers of the Oral History Archive, Historical Investigations Unit, Independent Commission on Information Retrieval and the Implementation and Reconciliation Group and rejects any attempts by the state, state agencies, illegal groups and others to evade justice, suppress the truth of and resist accountability for the past.

First of all, I confirm that we accept the Sinn Féin amendment, which adds a little to the motion, and oppose the DUP amendment, which changes a lot in the range of the motion.

Last week, I was talking to a senior person in one of the Governments who confirmed that they expected that, within the next few weeks, the British Government would enter the "public phase" that the Secretary of State has been referring to, whatever that means. Given that and the centrality and enduring nature of the issue, it is an important time for the Assembly to touch on and have a debate in relation to these matters so that on the far side of the public phase, whatever that might be, the outcomes do not once again let victims and survivors

down, cause them exasperation and, most of all, cause them new and higher levels of hurt. The next few weeks will be vital in how we comprehensively and ethically deal with the issues of the past.

If we are going to deal with the issues of the past, we should try to be informed by a number of principles. First, the highest standards of justice, accountability, truth and acknowledgement should prevail. Secondly, victims should be consulted and be involved in and participate in the design of any legacy proposals. Thirdly, through and beyond the legacy mechanisms, whatever they end up being, doors should not be closed to victims, not least because of a lack of proper financial support for those mechanisms. On the far side of and through those processes, we need to deal with the issues of intergenerational trauma and experience, advance national reconciliation and healing and ensure that individuals and communities get the full opportunity through those mechanisms to deal with the issues that they face.

Let us be clear: the thresholds around truth, justice, accountability and acknowledgement have been degraded from those advanced, for example, by Eames/Bradley. Each time we have entered into conversation with parties in government, we have ended up with a degradation of the strength and quality of the Eames/Bradley proposals of all those years ago. Consequently, even at this eleventh hour, I ask the two Governments and all the parties to attempt to improve and upgrade the proposals that are forthcoming in respect of dealing with the past so that the architecture of legacy measures up to the needs of the victims and survivors of the legacy of the last 30, 40 and 50 years.

I note that once again, even on this issue, we are being denied the opportunity to hear a response from any Minister, including the Minister of Justice. That is to be deeply regretted. The reason I say that is that, if we are going to navigate through the next number of weeks properly, we need to learn from the lessons of a year ago. What are the lessons of a year ago from the aborted negotiations around Fresh Start? First, this time a year ago, time was spent in the negotiations undoing the damage that was done to dealing with the past arising from private conversations between the Northern Ireland Office and the DOJ that produced, at that time, proposals that would do damage to a comprehensive way of dealing with the past. Yet, that is what we have at the moment. There have been private conversations going on for at least the last six

months between the NIO and the DOJ for which the Minister of Justice refuses to account in any shape or form, at any level, to the Assembly or the people of Northern Ireland. When she is asked about these matters, she says, "Ask London".

The second lesson from a year ago is on the lack of transparency. I wait to hear from the DUP and Sinn Féin in that regard, but, when the British Government produced a second draft legacy Bill, they shared its contents in full or in part with the DUP and Sinn Féin but not with any of the other parties and maybe not even with the Irish Government, who should have joint custody and stewardship in taking this forward. Are we going to have a rerun of last year's NIO/DOJ conversations with a lack of transparency about what is coming forward?

1.45 pm

Thirdly, we must not have what we were close to having last year: a *fait accompli*, where a smaller number of parties and one Government decide what the outcome is, over the heads of other parties, other Governments and, crucially, victims and survivors. I hope that there is learning in relation to all that and that those errors and fault lines of last year are not repeated.

The SDLP has said that, in writing and in person, to the two Governments and the Secretary of State for Northern Ireland over the last number of months. On the matters that I am about to raise, we have not received any detailed or satisfactory answers. In Fresh Start, the SDLP submitted seven papers to the three Governments, some of which were shared with others. In those papers, we outlined how to upgrade the proposed legacy mechanisms and, without being exhaustive — some people, especially on the British side, will say that we are being exhaustive — these are matters that now need to be dealt with.

For example, will the Implementation and Reconciliation Group (IRG) be in statute and have full powers to talk to any person or organisation in order to interrogate thematic issues from the past? Will it have access to any and all relevant information in so doing? Will the Historical Investigations Unit (HIU) be able to investigate cases that need to be investigated, rather than have its role and mandate constrained on some spurious basis, not least in collusion cases? Will the issue of funding be dealt with? Since the Stormont House Agreement, when moneys were agreed in respect of legacy, there are new and inescapable pressures in relation to Stakeknife,

legacy inquest, mental health, demand for the Victims and Survivors Service, the volume of cases to go through the HIU, and the potential role of the IRG? Will funding measure up to all those needs? Will disclosure be dealt with once and for all by the British Government, not in a way to protect its self-serving interests but to satisfy the needs of truth, justice and families, victims and survivors? And so on and so forth, in respect of all the legacy matters.

In concluding, let us be clear about one of the fundamental fault lines in the legacy discussions: those who did the worst over the years of conflict, and those who know the most about the truth of all of that, have the least intention to account in relation to the legacy mechanisms. There are too many vested interests at the heart of legacy, where the interest of the few will be greater, or is in danger of being greater, than the interests of the many victims and survivors. That is the truth behind the national security issue: that the British Government do not wish to account for that which may be criminal, embarrassing, callous or brutal, that went on with their knowledge during the years of the conflict. Similarly, terror organisations may wish to share at an institutional level corporate memory of what the leadership of illegal organisations did during the years of conflict, but they will not cross the line when it comes to damage to their reputations or self-serving needs.

Madam Principal Deputy Speaker: Will the Member bring his remarks to a close?

Mr Attwood: When it comes to those issues, there is one, perhaps final, chance to get it right. Let us not squander that opportunity; let us stand up unambiguously for the needs of victims and survivors.

Madam Principal Deputy Speaker: The Member's time is up. I call Paul Frew to move amendment No 1.

Mr Frew: I beg to move amendment No 1.

Leave out all after the first "proposals;" and insert

"further believes that all parties should work towards an early resolution of these matters; and welcomes the Government's proposals to consult on a way forward."

Let me say at the outset that I agree with a lot of what Mr Attwood said, as it resonates with me. I yearn for the day when we get this issue dealt with. I am sure that every one of us has

met, spoken to, or even has family members who are victims or who are involved in a victims' group. We have all met them and seen the pain in their eyes and heard it in their voices when they talk about their loved ones and how they miss them.

However, it is also a truth that not all victims want and need the same thing. That is something that we need to be very mindful of when we proceed along this path. It is also clear that, on these issues, trust has been and probably will continue to be a massive issue. In fact, it is a massive barrier to moving forward. The fact is that not all victims' groups want or need the same thing. Even within victims' groups, there are victims and survivors who do not want or need the same thing. It is a massive issue for us, the leaders, who are trying to move Northern Ireland forward, working with the UK Government. The Irish Government also have a massive part to play in this moving forward as regards their role in the Troubles. With all of that, trying to get a resolution and agreement has, to this point, proven to be remarkably difficult.

What are the needs and wants of victims and survivors? Some want truth, and that is a massive area. Some want justice, some want truth without justice and some want justice with truth. This is a massive issue moving forward. What does our party want? Our party wants a resolution to this; of course we do. We want to remove some of that pain for those people who suffer this every single day. Ultimately, however, we see that this cannot move forward without justice being upheld. Justice must be seen to be done. The rule of law must be upheld without fear or favour to anyone — and I mean anyone, whether you were part of a terrorist organisation or you were a part of the security forces and you stepped out of line and broke the law. The law is there to protect the citizens of every nation. It is important that, as we move forward, the rule of law is maintained and justice is seen to be done.

This is a remarkably sensitive area. It has proven so difficult to move forward from the ceasefires and the various agreements to now. We are edging forward, although, of course, we are not going quickly enough. That responsibility lies on every single person in this House and on every single party. That is why I am speaking to the amendment that our party put forward:

"further believes that all parties should work towards an early resolution of these matters; and welcomes the Government's proposals to consult on a way forward."

If we go into the public sphere on this, we should let the people see what is on the minds of the Governments. Let them judge for themselves how much or how little progress has been made or what more needs to be done. That is a very important issue, but nobody in this room, whether you are in government or in opposition, should shirk that responsibility.

Mr Lyttle: I thank the Member for giving way. The content of the motion is extremely detailed. It is an extremely constructive motion, which goes into many of the aspects that have been worked out over a number of years and which are well established for a comprehensive framework for dealing with the past. Will the Member tell the House and the public why the DUP felt the need to remove the vast majority of the content of that motion and replace it with a very short, abstract, early resolution for an issue that has been dealt with for years and which, I think, is at risk of actually offending victims and survivors in our community who are well past an early resolution of these matters?

Mr Frew: I thank the Member for his intervention. I hear what he is saying, but this is about a holistic approach. There is detail in the motion, but it does not mention all of us working together. I am not saying for one moment that this stuff should not be done. I am not saying that this stuff should not be in our thoughts or in the motion. What I am saying is that the issue has to be moved forward with a holistic approach. Everyone must be brought along and come with us. Whilst there is a lot of good in all this, it has to be the Fresh Start Agreement. I am not too sure whether the Member wants another intervention, but would he like to explain to the House his party's settled position on the Fresh Start Agreement, the same as every other party in the House? With the agreements already sought within that agreement, we believe that that is where we need to go. It is OK to include bits of the Fresh Start Agreement in a motion, but let us take the whole Fresh Start Agreement forward. Let us try to get a resolution to these issues once and for all, and then maybe victims will get some closure.

What Northern Ireland and what victims and survivors have come through over this generation is beyond explanation. Some of our young people do not even realise the horrors that have been inflicted on our people over the past 40 years. A light must be shone on all this, and the truth must come out. Justice must be done. That is the only way in which we will ever be able to move forward with any confidence. The moment that we trade justice is when we

are in big trouble, and I believe that there will be no closure for the many victims and survivors in Northern Ireland.

We stand here today determined to resolve this issue. We stand here today wanting to resolve these issues. We are happy to stand over the work that we have done to date. Can we do more? Of course we can. Every single party and every single Member in the House can do more and work harder to resolve these issues. We will not be found wanting when it comes to trying to resolve the issues. We will work hard for all the people of Northern Ireland and all the victims to whose doors terror has been brought.

We will support the security forces and their work throughout those terrible years to keep the public safe and out of harm's way. A debt of gratitude should leave the House today for the service of people in the security forces and the role that they played in keeping us all safe. That should never be forgotten. That can never be rewritten, and it is important that we acknowledge it here today.

We hope for the support of the House for our amendment.

Madam Principal Deputy Speaker: Tosnóidh Tráth na gCeist ag a dó. Question Time will commence shortly. The debate will continue after Question Time, when the next Member to speak will be Gerry Kelly, who will move amendment No 2. The House may take its ease.

The debate stood suspended.

(Mr Speaker [Mr Newton] in the Chair)

2.00 pm

Oral Answers to Questions

The Executive Office

Royal Prerogative

1. **Mrs Dobson** asked the First Minister and deputy First Minister who provided the advice that the royal prerogative could be used to appoint the new Executive press secretary. (AQO 567/16-21)

Mrs Foster (The First Minister): We were advised by the head of the Civil Service that we could use the prerogative powers conferred on us by section 23(3) of the Northern Ireland Act 1998 to make an order that would enable us to make such an appointment. He took advice from his Civil Service legal advisers before informing us. The appointment was then made under the provisions of that order. Therefore, the prerogative was not used to directly appoint the Executive press secretary; he was appointed under an enabling provision lawfully made using the prerogative power.

Mrs Dobson: I thank the First Minister for her answer. Given that the now-in-post Executive press secretary is undertaking cross-departmental engagement with the media, especially on behalf of the Department of Health, can the First Minister give an indication of the financial savings that Departments will realise as a result of the new appointment?

Mrs Foster: Of course, we are looking at the Executive information service (EIS). Indeed, following the director's retirement, a structural review is ongoing. The role of the press secretary is to do what the Member outlined: to work right across government so that we have a cohesive approach to the media; and to ensure that, instead of the sometimes glib and trite understanding of what is going on up here, there is a more in-depth understanding of the challenges that face the Executive and how we intend to deal with them. Yes, the press secretary was very much involved in the launch of the Bengoa report and the action plan from the Minister of Health. He will be involved in many other initiatives as well. I am sure that there will be cost savings, but, of course, that was not the main reason why this gentleman was appointed. He was appointed to create a more in-depth understanding among the

general public of what the Executive are doing in their policies. The role of the press secretary is very clear. It has been set out in the many answers that we have given about his job title and job specification, and he will work to that specification and that job title.

Mr McPhillips: I thank the First Minister for her answers so far. Last week's High Court decision was significant in that it disallowed the use of the prerogative power to rush through the triggering of article 50. Considering such developments, what is the Executive parties' plan should there be a vote in Westminster on triggering article 50?

Mrs Foster: Last week's court ruling was that article 50 had to go back to Parliament, but, as the Prime Minister has made very clear, Brexit will still continue because that was the expressed will of the British people in the referendum on 23 June. Whilst the mechanisms may change, she is very clear that Brexit means Brexit. We are very focused on our engagement, and the deputy First Minister and I will be in London this Wednesday, along with our colleagues from Scotland and Wales, to meet David Davis. We have a Joint Ministerial Committee to deal with those European matters and very much look forward to that positive engagement.

Mrs Cameron: I thank the First Minister for her answers thus far. Can she confirm that no one has sought to legally challenge her use of the royal prerogative? Can she further confirm that the first post-1998 use of this power was by Ulster Unionist and SDLP Ministers?

Mrs Foster: Thus far, no one has taken me to court for the use of the royal prerogative. I suppose that there is always time. Of course, the Member is right to say that this is not the first time that the royal prerogative power has been used; it is the fourth time since devolution returned to Northern Ireland. The first time it was used was by the then First Minister, David Trimble, and deputy First Minister, Seamus Mallon. As I said, it was used by us for the first time since I became First Minister when we appointed the press secretary.

There is no mystery in the use of the power: it was given to us under the Northern Ireland Act, as I indicated, and is there for all to see.

Mr Allister: Why was the opinion of the Attorney General not sought before the decision was taken to exercise the royal prerogative? Would it not have been most appropriate to get the benefit of his opinion?

Mrs Foster: I suppose that we could have asked the Attorney General for his opinion. At the time, we thought that we would ask the head of the Civil Service whether we could use the power. He checked with his legal advisers and came back with the answer that it was available for us to use. We could easily have asked the Attorney General; there is no mystery in any of this.

Dr Farry: Given that one of the implications of the High Court ruling in London on the use of the royal prerogative to trigger article 50 was that the Government in London do not have the right to legislate where legislation already exists, does the First Minister have concerns over the legality of the decision to use the royal prerogative in Northern Ireland in relation to the press secretary?

Mrs Foster: No, I do not have any concerns. We took advice from the head of the Civil Service, who took legal advice. This use of the royal prerogative is under an enabling power set out in section 23(3) of the Northern Ireland Act. So, there is legislative cover, if he wants to go down the line of the court case in England. I have no difficulty in saying that we used the prerogative in the appropriate way.

Fresh Start Panel Report: D2

2. **Ms Armstrong** asked the First Minister and deputy First Minister to outline the specific proposals and methods of evaluation that have been developed to meet recommendation D2 of the Fresh Start panel report on the 'Disbandment of Paramilitary Groups' to measurably reduce segregation in education and housing and set ambitious targets and milestones to achieve measurable progress as quickly as possible. (AQO 568/16-21)

Mrs Foster: The Executive action plan, which was published in July, sets out how we intend to take forward and implement all the recommendations in the three-person panel report, including arrangements for reporting progress. On good relations, we are committed to building on existing strategies and will give them ongoing consideration. Together: Building a United Community includes the establishment of 10 shared education campuses and the creation of 10 new shared housing schemes, and we are making good progress on them. Five shared education campuses are being progressed at the Moy, Limavady, Ballycastle, Brookeborough and Duneane/Moneynick. Following a third call for applications, we expect to announce the successful projects in May 2017. Under Delivering Social Change, we

have a £25 million project to incentivise shared education partnerships between schools and to enhance opportunities for children and young people to learn together regardless of their religious or cultural background. Some 314 schools are engaged in 134 partnerships, and a further call for applications has been made. The shared neighbourhoods programme is also progressing well. Two schemes at Ballynafof Close on the Ravenhill Road and Manse Court in Saintfield have been completed. A further two schemes are near completion and six others are under construction. The Executive will consider in due course how to build on this significant success.

Ms Armstrong: I thank the First Minister for her answer. What impact has the withholding by the UK Government of their contribution to funding for the action plan in the report had on delivering the recommendation?

Mrs Foster: As I said, we are progressing well on the shared education piece. I am pleased with the number of projects for which funding has been made available, including one very close to my heart in Brookeborough. It is good to see them progressing well. Under Delivering Social Change, we have been able to give £25 million to incentivise shared education between 314 schools, which, as I think she will agree, is a very good march forward. Shared housing is also moving along very well. There has been good progress made on the sharing front. Of course, there is always more that we would like to do, but we will continue to push ahead on this agenda.

Mr Smith: Following the disclosure by the Northern Ireland Housing Executive that, in the last year alone, over 400 people who claimed homelessness cited paramilitary activity, how does the First Minister think that the Executive's strategy will deal with this behaviour, given that the first draft has already been rejected by the Government as falling short?

Mrs Foster: Of course, his characterisation is wrong — the Government in Westminster have made that very clear — but I would expect him to characterise it in that fashion. Yes, I was rather alarmed to hear those figures last week. When I made enquiries into what the Housing Executive is doing on the matter, I was told that it has been able to, under Fresh Start allocations, draw down £498,000 — not an insubstantial amount of money — to deal with three programmes: one on community empowerment; one on re-imaging communities, which will try to deal with some of the issues that led to those people being rehoused; and

one on bonfire management, which always becomes a very topical issue at a particular time of the year, not just in the House but in councils across the piece. Work is ongoing, with the Housing Executive in the lead, to deal with community tensions and community programmes.

Again, we all have to take leadership roles on the matter. It is what we need to do in the Assembly: give leadership; say that those activities that are going on, sometimes at a very low level, are completely unacceptable; and try to move people away from those activities to more progressive and positive matters. The programmes come into their own in and around re-imaging. I saw some of the very good work that went on in the past with those projects through the Department for Social Development, as it then was. Those projects are now being put forward through the Fresh Start Agreement.

Mr Attwood: Given the report to the Assembly by the Minister of Finance that London will not release in-year moneys to deal with the issue because of the lack of a detailed action plan and that, one year ago this week, the DUP and Sinn Féin had a fanfare of promotion for Fresh Start, do you feel embarrassed today?

Mrs Foster: No. I do not feel embarrassed at all, because, as I have just told you, £498,000 has been drawn down under the Fresh Start Agreement to help people in communities right across Northern Ireland under three Housing Executive programmes. That is just one part of A Fresh Start. Why would I be embarrassed about that? I am not embarrassed about it at all. In fact, it is something that we should celebrate.

The money that he refers to is, of course, money that will be rolled forward into next year. Sometimes, people have this thing and think that we have lost money because a programme has not been pulled together. I would much rather that the programme be the correct one and that it really can deliver for communities. In that respect, we will be able to pull the programme together and take advantage of that money, which, as I say, has not been lost but has simply been rolled forward, so that we can deliver in a more positive way for the communities involved.

Programme for Government 2016-2021

3. **Mr Swann** asked the First Minister and deputy First Minister to outline any discussion

that they have had with the Minister of Finance in relation to the Programme for Government 2016-2021. (AQO 569/16-21)

Mrs Foster: We are taking a collaborative approach to developing the Programme for Government. There is regular engagement with Executive colleagues, including the Minister of Finance, on the draft Programme for Government that was agreed by the Executive on 27 October 2016. Those engagements will continue as we put in place plans to realise the programme's outcome of societal well-being. Clearly, there is a connection between work on the Programme for Government and work on the Budget. Once we have greater clarity regarding our funding envelope, which will be after the Westminster autumn statement, we will carefully align the Budget with the Programme for Government.

Mr Swann: I thank the First Minister for her answer. She referred to work on the Budget and Programme for Government. Has she had any discussions with the Finance Minister on setting aside money for the financial implications of the renewable heat incentive scheme?

Mrs Foster: That is a very creative way in which to get the renewable heat incentive scheme into First Minister's questions. We are engaging weekly with the Finance Minister on the Budget. That will become a lot clearer once we have had the autumn statement, which is at the end of this month. Then, we will be able to align the Budget with the Programme for Government and, indeed, deal with any other demands on the Budget.

Mr Irwin: Can the First Minister indicate whether the Ulster Unionist Party made a substantive response to the Programme for Government and, if so, whether there were any ideas in it worth taking on board?

Mrs Foster: Yes, I can. This is the response to the Programme for Government from the Ulster Unionist Party. The first page is a commentary on the Programme for Government. Most of the second page is the same. The response has one — one — item that the party wanted to bring to the attention of the Executive.

I will read it out with your permission, Mr Speaker:

"In the spirit of constructive opposition, we offer one important addition to the 14 outcomes listed on page 12 of the Programme for Government framework".

2.15 pm

Bear in mind that it has had months to put together its response to the Programme for Government. This is what we get:

"In recognition of the legacy of the Troubles, we suggest the outcomes should include specific references to victims and survivors beyond the general comment 'We care for others and we help those in need'".

And it gives us draft wording. That is it. That is it in terms of the Programme for Government. That is it in terms of what one of the Opposition parties has to say in relation to the Programme for Government. That is it.

Mr McGuigan: How has the decision to adopt an outcomes-based approach been received during consultation?

Mrs Foster: It has been received very well, apart from that response from the Ulster Unionist Party. Eight hundred and ten consultees have put forward their views. Most of them are a little bit longer than that. The deputy First Minister and I were at a conference organised recently in Belfast that was attended mostly by local government and the third sector. Attendees warmly welcomed the outcome-focused approach and the very collaborative way in which we are taking forward the Programme for Government. I think that most people recognise the need to work not just across government but outside of government if we are going to make a real impact with what we want to do for Northern Ireland.

It has been received very well. The second iteration is now out for consultation. I encourage everyone to look at it and bring forward their ideas. That consultation ends on 23 December, just before Christmas.

Ms Hanna: I thank the Minister for her answers so far. I noticed that one of your colleagues asked about the SDLP's responses. We put in 50 suggested legislative initiatives that the Government could take. I do not blame the Ulster Unionists; they are not there to be a think tank for you. As with the Bengoa report, I did not see any financial allocations. Will you outline what financial provision will be made over and above recurrent spending to address specific Programme for Government priorities?

Mrs Foster: I do not know whether the Member was in the House when I said that we are waiting on the autumn statement at the end of November so that we can align the Budget with

the Programme for Government. That, of course, is what we intend to do. I welcome the fact that the SDLP made suggestions. That is what opposition is meant to be about. I note that she gave cover to the Ulster Unionist Party by saying that it is not there as a think tank. It is there as an Opposition, and it is meant to put forward an alternative. It has not done so. Until it does, it should reflect on that.

Mr Dickson: First Minister, are you not somewhat embarrassed by the way in which you seemed to sneak out the latest emanation of the Programme for Government on a Friday before a holiday? Much more importantly, is there not a paucity of targets in the document that has been delivered? I understand the point about finance, but surely a Programme for Government must have targets in it.

Mrs Foster: I am certainly not embarrassed about putting the document out. There was a press release that went out. I am sorry if the Member was off on his holidays and was not able to read that. I cannot answer for the media. If they are not interested in covering the Programme for Government going out in its second iteration, that is a matter for them, not for me.

NI Bureaux

4. **Mr Logan** asked the First Minister and deputy First Minister for their assessment of the current operations of the Northern Ireland bureaux. (AQO 570/16-21)

Mrs Foster: The Northern Ireland Executive's three overseas bureaux in Beijing, Brussels and Washington DC play a pivotal part in our strategic international engagement. The primary role of developing Government-to-Government relations is hugely important in underpinning the work of Invest Northern Ireland, Tourism Ireland, Northern Ireland businesses and our universities on the global stage. Our international offices are in regular contact with decision makers in government and influential international organisations in their respective regions. That has assisted the Executive in realising key Programme for Government targets.

Mr Logan: Thanks to the First Minister for her answer. I am sure that she agrees that the Washington DC branch does great work to promote a positive image of Northern Ireland to America. Will she assure us that, regardless of the result of the presidential election, the Washington DC branch will continue to do its work?

Mrs Foster: I thank the Member for his supplementary. I know that he was recently out in Washington on a US Consulate-led programme and was able to see, first-hand, the work that goes on by our colleagues in Washington. I am always amazed at the amount of ground that they are able to cover with a relatively small team of staff. They hosted five ministerial visits in 2015-16 and a total of 34 visits by over 200 people from Northern Ireland society including two Assembly Committees, the PSNI, the Policing Board, universities and a lot of the councils who send out delegations. They sponsor, or part sponsor, a lot of events and are, essentially, our eyes and ears not only in Washington DC but in New York and Canada. They spread themselves very thinly but very effectively and do a marvellous job.

Ms J McCann: Will the Minister give us an update on her proposed visit to China in December?

Mrs Foster: The deputy First Minister and I intend to go to China at the beginning of December. We hope to officially open the Beijing office, although it has been open for a while now, which is our Northern Ireland Executive office in China. We also hope to go to Shanghai and Shenyang in the north-eastern province. While we are there, we hope to sign a memorandum of understanding with regard to even deeper ties with Shenyang because Shenyang is a sister city of Belfast and does a lot of good work.

I understand that the Northern Ireland Assembly Business Trust has just returned from China and that that was a very successful visit. We will keep on. China is a huge market. It is a very long way away but we believe that, in conjunction with the very effective consul general in Belfast, there is a lot of very good business to be done.

Mr Aiken: I thank the First Minister for her answers so far. What assessments have been made of how other non-EU countries engage with Brussels and the EU institutions, and what lessons is she drawing regarding our Brussels bureau post-March 2019?

Mrs Foster: The Brussels office, just like our Washington and Beijing offices, is really our eyes and ears in Brussels. It is doing a very good job at the moment bringing back intelligence and information on what is happening. With the vote on the 23 June, there is a lot happening in Brussels — that is the understatement of the year. It is important that

we get that information back to us. Obviously, post-Brexit, we will have to look at the relationship and whether we need to have the Brussels office, but that is something that will come after the Brexit negotiations have finished and we have exited Europe.

Mr McGlone: Will the Minister advise on the guidance that has been provided to officials overseas in those bureaux on the issue of Brexit in order that, if questioned, they have a consistent and clear response?

Mrs Foster: Their position is the position of the Northern Ireland Executive: that we will do what is best for the people of Northern Ireland in these negotiations and that we will move forward and try to get the maximum amount of market access. That, of course, is still our position with regard to the negotiations and it is the message that we will be taking to David Davis on Wednesday when we have our Joint Ministerial Committee (JMC) meeting.

We are also looking for new opportunities in the post-Brexit world and have asked our officials in the offices to make sure that they are alert to all of them because a lot of our companies are looking for opportunities beyond Europe. I was delighted to see Brendan Mooney of Kainos as part of the Prime Minister's trade delegation to India. He is an award-winning member of the business community here and we wish him well and hope that he is able to access more business opportunities for Kainos which we are very proud of — a Belfast-born company doing global business.

Vulnerable Persons Relocation Scheme

5. **Mr McCartney** asked the First Minister and deputy First Minister for an update on the vulnerable persons relocation scheme. (AQO 571/16-21)

Mrs Foster: Mr Speaker, with your permission I will ask Junior Minister Ross to answer this question.

Mr Ross (Junior Minister, The Executive Office): Just four days ago, the fifth group of refugees arrived here through the scheme. Each new arrival will receive the same care and support as previous groups to integrate and start their lives anew. We are very proud of the part that we have played in the vulnerable persons relocation scheme. With our partners from the non-governmental organisation (NGO) sector, we have shown that we can make the

scheme work here successfully. People here have been very welcoming to those families in their time of need and we will continue to welcome refugees on a phased basis over the coming months.

Mr McCartney: Gabhaim buíochas leis an Aire. I thank the Minister for his answer and add my gratitude, particularly from the people in Derry, for the good work carried out by many individuals and organisations in welcoming refugees. Can the Minister give an update on how the complex needs of many refugees are being addressed on an ongoing basis?

Mr Ross: I thank the Member for his supplementary question. Through the scheme, we are making sure that they are welcome in local communities, and we are working with communities to address their many complex needs. Over the course of the vulnerable persons relocation scheme, we have been able to welcome just short of 300 individuals. They all have very different needs, and we have been trying to support them through various offices in the Executive Office and wider government to make sure that any specific needs that they have are dealt with and that any local issues that they have can be resolved at local level.

Ms Bradshaw: Thank you very much for your answers to date. Following on from the question on NGOs and the sad news last week that the Northern Ireland Council For Ethnic Minorities (NICEM) will have to close its doors, how will you ensure that the NGOs have sustained funding to support them? The problems will not be dealt with very quickly.

Mr Ross: I thank the Member for that, not least because it gives me an opportunity to thank Patrick Yu for his contribution over many years as the chairperson of NICEM. It is important to put on record the fact that NICEM has received a considerable amount of money since the minority ethnic development fund was conceived in 2001; in 2015-16 alone, the group received £90,000. Members will be aware that the minority ethnic development fund has become an increasingly competitive process. In 2016-17, there were 99 applications, of which 32 were successful, for a fund worth just over £1 million. NICEM made two applications, was advised that it had been unsuccessful and was given feedback on those applications.

I point out to the Member that, although NICEM has decided that it is no longer capable of continuing as an entity, we have seen many new groups emerge during that time. Those groups provide support to and reflect the needs

of their members, not least in lobbying government and being a critical friend of government. I see more organisations being able to access funding than before, and I am confident that those organisations — not least through the racial equality subgroup — will make sure that their voice is heard and that they can work alongside government to address the needs of the people whom they represent.

Abuse: Financial Redress Schemes

6. **Mr McPhillips** asked the First Minister and deputy First Minister for an update on the provision of financial redress schemes for the victims of historical institutional abuse. (AQO 572/16-21)

Mrs Foster: Mr Speaker, with your permission, I will ask junior Minister Ross to answer that question.

Mr Ross: The chair of the historical institutional abuse inquiry, Sir Anthony Hart, is due to deliver his report and recommendations to the Executive in January 2017. Late last year, the inquiry took the unprecedented step of gathering additional evidence through a targeted consultation with victims and survivors on financial compensation and other forms of redress, and the outcome of that consultation exercise will undoubtedly inform its recommendations. We must wait to see what Sir Anthony recommends, so it would be inappropriate to pre-empt the inquiry's findings or any future Executive decision by speculating now about redress or potential models of redress that the Executive may agree upon.

Mr Speaker: We have time for a quick supplementary and a quick response from the Minister.

Mr McPhillips: We look forward to the report very soon. The First Minister and the deputy First Minister will be aware of Margaret McGuckin's comments that the financial redress scheme would cost in the region of £20 million to £30 million. Can the First Minister outline how confident she is of securing that funding? Will it be in the next financial year, and will it be ring-fenced or subject to budgetary constraint?

Mr Ross: Again, I do not want to pre-empt what the report will say in January, nor do I want to pre-empt what the Executive will agree in response to it. I point out to the Member that considerable funding is available at present and the Executive Office is providing support services to victims and survivors of historical

institutional abuse. Since January 2012, for example, we have been able to provide crisis counselling through Lifeline — that is, face-to-face, by phone or at the offices in Belfast and Londonderry; since October 2012, we have been able to provide a drop-in centre for Survivors (North West) in Londonderry; and, since August 2013, we have been providing support services to victims and survivors through Contact NI as well. There is also a small grants scheme that has allowed us to fund four victims' and survivors' groups since 2016-17, namely Survivors and Victims of Institutional Abuse (SAVIA); Survivors (North West); Rosetta Trust; and Birth Mothers for Justice NI. Without wanting to pre-empt the result of the report in January — I do not want to make any comment — I want to just put on record the amount of support that we are giving to victims and survivors at present.

2.30 pm

Mr Speaker: Members, that ends the period for listed questions. We now move to 15 minutes of topical questions.

United Airlines: Belfast to Newark Route

T1. **Mr Nesbitt** asked the First Minister and deputy First Minister whether the First Minister was surprised by the collapse of the proposed support package for the United Airlines Belfast to Newark route. (AQT 416/16-21)

Mrs Foster: I thank the Member for giving me the opportunity to speak about this, because this was something that we were essentially forced into at the end of the summer when United indicated that it was going to leave Northern Ireland unless there was some intervention from government. The Economy Minister came to the Executive, and he had a package proposed. He had to do it very quickly, and it was worth doing. It was the right thing to do at the time, but unfortunately the European Union did not agree with us. It has decided that we cannot proceed with what it calls a state aid, and because of that United quickly took the decision, paid back any money it had received and will leave Belfast International Airport at the beginning of January, if my memory serves me right. I regret that deeply, because it was a very important direct link to North America. Because Newark is one of those hub destinations, it was really our entry into the whole of North America, and it is deeply regrettable this has happened.

Mr Nesbitt: I thank the First Minister. I am sure she will recall that Sir Reg Empey as ETI Minister was able to fund routes by putting the money into the marketing rather than directly into the flights, and she may care to comment on that. Was she satisfied the Executive could have monitored how the money was used to ensure that United did not turn it into straight profit?

Mrs Foster: Yes. We spent some time going through this with United. Of course, it would have been some feat to spend £9 million on marketing, which was why the Economy Minister put forward the programme that he did. It was the right thing to do. Of course, if we had not been in the European Union, we would have been able to do it, and that is the fundamental nub of all of this. If I was to look for a practical expression of state aid bureaucracy, here it is.

Libyan-sponsored Terrorism: Compensation

T2. **Mr Butler** asked the First Minister and deputy First Minister what engagement the First Minister or the Executive Office have had with Her Majesty's Government regarding compensation for victims of Libyan-sponsored terrorism. (AQT 417/16-21)

Mrs Foster: I have had a range of interventions through my Westminster colleagues; indeed, my deputy leader, Nigel Dodds, has been heavily involved in the Libya compensation issue. I deeply regret that the Government have taken a particular view on the matter. They should reflect on it, reflect on the work that the Select Committee has been engaged in and think again about the Libya compensation issue.

Mr Butler: I thank the First Minister for her answer. The First Minister will be aware that Lord Empey has introduced a cross-party Bill that would see Libyan assets frozen in the UK used to pay compensation to its victims. Can she confirm Executive support for that legislative attempt to finally provide some justice to the victims of Gaddafi-sponsored terror?

Mrs Foster: Although it does not sound like it today, I understood that Lord Empey was in another place and not in the Assembly. We have had a lot of mention of him from the Ulster Unionist Party. Certainly, I will support any attempts to make sure that those who have suffered at the hands of Gaddafi's state-

sponsored terrorism will be able to benefit from any compensation.

Bengoa Report: Executive Support

T3. **Mr Maskey** asked the First Minister and deputy First Minister how the Executive might be able to support the implementation of the Bengoa report. (AQT 418/16-21)

Mrs Foster: The very important issue on the Bengoa report is the fact that this is not just for the Department of Health; we believe that it is a matter for the entire Executive to take forward. We are very aware that, if we do not try to manage the health service, there will be a breakdown in the next 10 years, and that is what, I think, Professor Bengoa referred to as the "burning platform".

Unless we intervene and do something, the health service will require most of our block grant. Apart from that, we need to be able to deliver a better, sustainable service to our patients as well. We as an Executive believe that the way to do that is to follow through on the Bengoa report. It will take some time — two mandates of this place. In fact, this is the first time that we as an Executive or, indeed, any Executive before us, as I understand it, have taken such an approach over two mandates. We believe that it is that important to set the trajectory and where we are going over the next 10 years, and I wholeheartedly support it.

Mr Maskey: I thank the First Minister for that fairly comprehensive answer. Notwithstanding the very complex nature of all this and the very significant challenges in the time ahead, is she confident that the report and its conclusions can be fully implemented in due course?

Mrs Foster: I am confident because, as I understand it, the clinicians are absolutely ready for change and want change to happen. It is they who come to us in our constituency offices and say that change needs to occur. It fits in very well, I have to say, with the way in which we are progressing with our Programme for Government as well: it is about outcomes. What outcomes do we want for the health service over the next 10 years and, indeed, beyond? When we get to the end of the 10 years, we hope that we will have a health service that is more efficient and, importantly, more effective for the citizens who live here. We are very much signed up to the Bengoa report and the implementation plan. I hope that the whole House will get behind what is very critical infrastructure for us moving forward.

Ashers Bakery: Court Judgement

T4. **Mr Kennedy** asked the First Minister and deputy First Minister for the First Minister's response to the recent Ashers bakery court judgement. (AQT 419/16-21)

Mrs Foster: Of course I was disappointed that we did not get a different result, but we have to abide by the court judgement. I think that one of the most interesting parts of the court judgement is the way in which the court commented on the role of the Equality Commission in the whole case. I understand that the costs that the Equality Commission has run up to date are well in excess of £100,000. I have to ask this question: where is the balance in dealing with faith communities in Northern Ireland? I will be asking the Equality Commission to comment directly and give me some feedback on that.

Mr Kennedy: I thank the First Minister for her answer, particularly on that issue. Does she share my personal view, which was highlighted in the court judgement, that the Northern Ireland Equality Commission has "created the impression" that it:

"was not interested in assisting the faith community where issues of this sort arose."

What action does the First Minister intend to take to address that?

Mrs Foster: I agree with the Member, and it is very telling that three very senior court judges made that commentary. Indeed, I think that they go on to say that they had seen evidence of only one letter in which the Equality Commission had been involved. It is incumbent on the Equality Commission to indicate to the Executive how it intends to remedy what has been pointed out to it by the court and what affirmative action it intends to take in terms of faith communities, because there is certainly a chill factor there for faith communities. That is communicated to me weekly, and the commission has to take notice of it.

NICEM: TEO Action

T5. **Mr Dickson** asked the First Minister and deputy First Minister, given the major gap that has appeared in the policy and advocacy role for ethnic minorities in Northern Ireland due to the lack of funding for the Northern Ireland Council for Ethnic Minorities (NICEM), what the Executive Office will do to ensure that that

policy and advocacy role can be fulfilled and to state whether a recovery programme exists for NICEM. (AQT 420/16-21)

Mrs Foster: I will ask the junior Minister to answer that question.

Mr Ross: I touched on this earlier. The point is that NICEM applied for funding along with everybody else and was not successful. It was given feedback and then appealed the decision, but the original decision was upheld. I would point out that, since NICEM came into existence, a plethora of new organisations has emerged. They represent different ethnic groups across Northern Ireland, and we are a much more diverse place than we ever were before. I do not think that there will be a "gap" in that sense. I think that that gap has been filled by other organisations that are participating with government in the racial equality subgroup. They are making sure that their voices are heard and representing the views. Whilst it is disappointing for NICEM — I paid tribute to Patrick and do so again — a sufficient number of new groups have emerged to make sure that nobody is left behind and that the voice of ethnic minority groups in Northern Ireland is heard at the highest level.

Mr Dickson: I thank the junior Minister for that response. He is correct that a number of new groups have emerged, but I think that the clue is in the title of NICEM: it is the Northern Ireland Council for Ethnic Minorities. It is the umbrella organisation for all the organisations that he referred to. It is important that that umbrella role is retained in Northern Ireland to represent all those new, emerging voices.

Mr Ross: If you talk to representatives of some of the other organisations that have emerged, they will tell you that, sometimes, they saw NICEM not so much as an umbrella, but, increasingly, as in competition with different groups. That is not what it initially set out to be.

I am confident that, through the racial equality subgroup, and through all those different organisations and communities making sure that they work with and implement the racial equality strategy, they will be represented and listened to. Whilst I again acknowledge the role that NICEM has played over many years in Northern Ireland, at times as a lone voice, that is no longer the context in which we operate. We have a number of new organisations that will make sure that that work continues as we move forward.

Mr Speaker: Mr Edwin Poots is not in his place.

Thalidomide Scandal

T7. **Ms Armstrong** asked the First Minister and deputy First Minister what discussions the Executive Office has had with the appropriate bodies to obtain pecuniary compensation for the survivors of the thalidomide scandal, given that the First Minister will be aware of the challenges facing those survivors, with many of them living with unique and complex needs and significant financial strain. (AQT 422/16-21)

Mrs Foster: I thank the Member for her very timely question. Directly after Question Time, I am meeting some of the victims of the thalidomide scandal, and I very much look forward to getting an update from them on their Germany case. I understand that they have made representations to the European Union and, indeed, with my colleague Diane Dodds, were able to get some traction there on their cases. As I said, I very much look forward to the update that I will receive from them in a couple of minutes and to seeing what I can do to assist them in their action against that Government.

Ms Armstrong: I thank the First Minister for her answer. As she mentioned, the German Government are facing increasing pressure from the EU and could be forced to recognise their responsibility to help survivors. As the First Minister said, she will hear an update, but, as the issue has been going on for a number of years, is she able to give any assurances that, regardless of the decision, she will do what she can to ensure that thalidomide victims in Northern Ireland are sufficiently compensated?

Mrs Foster: Of course, that is what I want to hear. I want to hear from them what their current position is. I read Mrs Fenton's story on the BBC website and learned how the thalidomide crisis has impacted her in a very personal way and what it means for her today. I want to hear how she is coping with everyday living. They will certainly find me someone who wants to be of assistance, whether that is in relation to the German Government or to the very specific needs that they might have in Northern Ireland.

Mr Speaker: I call Mr Attwood and inform him that he may not get a supplementary.

Anti-poverty Strategy

T8. **Mr Attwood** asked the First Minister and deputy First Minister for the First Minister's view

on the publication of an anti-poverty strategy. (AQT 423/16-21)

Mrs Foster: As the Member knows, we believe that the anti-poverty strategy was covered in other documents, but the court took a different view. We will continue to work with and across Departments because, of course, that is what the new Programme for Government is all about: making sure that we address all the issues, not just in one Department but across government, and it is no different for the anti-poverty strategy.

Mr Speaker: Time is up.

2.45 pm

Agriculture, Environment and Rural Affairs

Mr Speaker: The Minister has given notice to the Business Committee that she is unavailable to answer questions. The Minister for the Economy will therefore respond to questions on her behalf.

Farmers: AFSB Comments

1. **Mr Swann** asked the Minister of Agriculture, Environment and Rural Affairs for her assessment of the recent comments made by the chair of the Agri-Food Strategy Board, at the meeting of the Committee for Agriculture, Environment and Rural Affairs on 6 October 2016, that there are too many farmers in Northern Ireland. (AQO 581/16-21)

Mr Hamilton (The Minister for the Economy): The Agriculture, Environment and Rural Affairs Minister is aware of the recent remarks by the chair of the Agri-Food Strategy Board on the structure of the local industry. As the Minister previously said in the Chamber, she is focused on championing and strengthening the position of all farmers in Northern Ireland. The future of the industry is dependent upon building a resilient, sustainable, competitive and forward-thinking sector, and she will not be selective about who she supports.

That is why the Minister is working with colleagues across the Executive to deliver the many actions detailed within the Executive response to 'Going for Growth', which are intended to assist the agri-food sector in realising its ambitions and maximising its potential contribution to the local economy. Farmers in particular will benefit from various

schemes under the rural development programme, especially the farm business improvement scheme, which aims to build knowledge and expertise, improve innovation and cooperation and support capital investment in modern, fit-for-purpose infrastructure and equipment.

The Minister was delighted to launch the capital component of the farm business improvement scheme on 31 October. That initial phase is worth some £40 million and represents a significant investment in the future of farming here.

Mr Swann: I thank the Minister for his answer. In his role as Economy Minister, he is co-sponsor of the Agri-Food Strategy Board. Does he agree with the chairman's comments about the number of farmers in Northern Ireland?

Mr Hamilton: I share the views of the Agriculture, Environment and Rural Affairs Minister, who, I think, responded at the last Question Time to a question posed by Mr Swann on this very issue. I fully agree with what she said in the Chamber that day, and I reiterate today that she wants to see a strong, robust, resilient and sustainable farming sector across Northern Ireland and she will have no favourites in and will not be selective about who she supports to achieve that ultimate positive aim.

The Member is right that I am co-sponsor of the Agri-Food Strategy Board with the Agriculture, Environment and Rural Affairs Minister. Whilst in this instance I do not agree with what the chair said to the Agriculture, Environment and Rural Affairs Committee, it is worth acknowledging the positive role Mr O'Neill has played down through the years in the industry and right across the sector in a range of different roles, particularly the role he has played of late as chair of the Agri-Food Strategy Board in developing the 'Going for Growth' report, which points to a very positive and ambitious vision for the future of the agri-food sector in Northern Ireland. Whilst I, like a lot of people, may not agree with everything people say, I am happy to work with those who want to make that positive contribution to the sector and industry. In spite of what was said, I think that is where Mr O'Neill's heart clearly lies.

Mr McNulty: Does the Minister agree with the UK's farming Minister George Eustice when he says the agriculture industry will have to:

"move away from the notion of subsidies"?

Mr Hamilton: I was at a breakfast meeting hosted by Diane Dodds, our MEP, at which Mr Eustice made a range of comments, including some not dissimilar to that the Member read out. It is entirely for Mr Eustice to come forward in the context of the UK exiting the European Union with positive remarks about seizing the opportunities that presents and with positive ways in which the whole system of farming and the agri-food sector in Northern Ireland and right across the United Kingdom can be supported. I look forward to playing my part as Economy Minister, and I know the Agriculture, Environment and Rural Affairs Minister is already incredibly active in working with Mr Eustice, who she has met on, I think, several occasions, to impress upon him the importance of the sector here in Northern Ireland and the need to have a good support system in place that can ensure our agri-food sector and, indeed, our fishing sector can thrive — not just survive but thrive — as the UK exits the European Union.

Ms Dillon: I know you are not the Agriculture, Environment and Rural Affairs Minister, but I would certainly like to hear you say a wee bit more about farmers. I recognise that you are the Economy Minister and therefore may have an eye to that more than to farmers, but I am concerned about what Tony O'Neill said. I do not disagree with you in a lot of what you said about him. He is very good at what he does, and I think he has a lot to bring to the Agri-Food Strategy Board. However, the farmers out there are, quite rightly, very concerned by what he said. What assurances can the Minister give us that farmers will get the support that they need from the Department going into the future to ensure that they have equality of production and sustainability?

Mr Hamilton: You will not hear me, in whatever role I am performing, stand up and agree with what Mr O'Neill said about the number of farmers that are needed in Northern Ireland. I will reiterate again the views that the Agriculture, Environment and Rural Affairs Minister expressed in the Chamber already. She wants to see a strong sector and will not support one sector over another. She will not be selective about whom she supports to achieve her ultimate aim of having a strong, resilient, sustainable farming sector in Northern Ireland.

Mr O'Neill said what he said. I do not agree with what he said, nor does the Minister, and we have made that pretty clear. I may not be the Agriculture, Environment and Rural Affairs Minister, but I know a bit about the farming sector, and people in it are not shy about

coming forward and saying what they believe, and I am sure that many of them have already made their views very clear to Mr O'Neill about what he said. Therefore, what was said has been said. It cannot be unsaid, but we need to move forward and continue to work with Mr O'Neill and the Agri-Food Strategy Board, which I have had the pleasure of meeting since taking up post as Economy Minister, to implement the recommendations contained in 'Going for Growth' for the sector to go from strength to strength.

Sustainable Land Management Strategy

2. **Mr Irwin** asked the Minister of Agriculture, Environment and Rural Affairs how she plans to implement the sustainable land management strategy. (AQO 582/16-21)

Mr Hamilton: As the Member may know, Minister McIlveen received the sustainable agricultural land management strategy at the launch event at the Agri-Food and Biosciences Institute (AFBI) in Hillsborough on Friday 21 October. Minister McIlveen and her officials will now consider the report carefully, examining the potential implementation of the recommendations to deliver her Department's vision of a thriving and sustainable economy, environment and rural community.

It is clear that significant resources would be required if all the recommendations were to be implemented. In a time of scarce public finances, finding sufficient funding streams to match the ambition of the report will be challenging, but the Minister and her Department appreciate that supporting growth in the agri-food sector also means supporting the environment that sustains that growth.

Significant investment will also be required from the agri-food sector. However, if we can show clearly that such investment from the public and private sectors will have tangible and lasting rewards, making the case for funding will be much easier. However, it may be possible to carry out phased implementation of the report that will help inform consideration of wider-level implementation.

Mr Irwin: I thank the Minister for his response. Will he outline how the Department could fund the implementation of the land use strategy?

Mr Hamilton: At the launch back in October, I understand that the Minister gave a very clear commitment that she will carefully consider not only the report, and that is what she is doing at

present, but how the recommendations can be implemented. That includes considering how it might be funded, of which there is a range of different ways. Bearing in mind that we are in times of some constraint with our budgets, and may be so for some time yet, she is mindful of that but is still looking at imaginative and creative ways in which she might be able to fund this important piece of work.

The Department could consider using existing funding mechanisms; for example, the rural development programme or the environmental farming scheme, where there seems to be an alignment. Both could be used. She could, as I said in my original answer, carry out a phased implementation to help inform consideration of wider and more full implementation. There are business development groups in place at the College of Agriculture, Food and Rural Enterprise (CAFRE) that could help provide feedback on the roll-out of larger-scale projects.

Finally, as a report has been developed in response to a recommendation contained in the Agri-Food Strategy Board's Going for Growth report, there is a reasonable expectation that the agri-food industry will make a significant contribution to the implementation of the strategy, particularly when, as I mentioned already, evidence can be shown that it produces better outcomes and more productivity for the agri-industry. It is therefore something that I am sure that the industry will be keen to be involved in.

Mrs Dobson: Given the often overbearing nature of the Northern Ireland Environment Agency (NIEA) and its unwarranted treatment of farmers, what assurances can the Minister give that the strategy will not result in further hounding of the farming community?

Mr Hamilton: I am pretty sure that the Minister of Agriculture, Environment and Rural Affairs would not want to implement anything that was over-bureaucratic and would put more of a burden of red tape and regulation onto the farming industry. As I understand it and as I indicated to Mr Irwin, the objective of the strategy has been about trying to sketch out a direction of travel and put in place an action plan that will lead to more productivity while understanding that that productivity will, in large part, depend on looking after the environment from which the agri-food produce comes.

As I have said before, I know that the strategy flows from a specific recommendation in 'Going for Growth'. That, of course, was a document that was produced with input from the farming community, with some former presidents of the

Ulster Farmers' Union, for example, sitting on the board. I am sure that they will have been mindful of the issue of bureaucracy when they came forward with the recommendation. I know that the land management strategy group, headed by John Gilliland, was careful to take and consider the views of the farming community. I think that that is reflected in the recommendations in the final report. I am sure that the Minister, in trying to take forward the report, which she is now considering, will be exceptionally mindful of that and will not want to put in place something that has a positive aim but might have some negativity in the way in which it might be implemented.

Mr McMullan: I thank the Minister for his answers so far. Minister, you are aware that, increasingly, there is a two-tier system in farming, with hill farming and lowland farming. Can you guarantee to the House that any strategy that is brought out will not affect the hill farmer and his unique way of farming?

Mr Hamilton: As I said in response to Mrs Dobson, I am sure that the Minister will not want to implement a strategy that has negative impacts on any sector of farming, never mind a negative impact on the environment in which they farm. I am sure that the points that the Member raises in respect of hill farming will be carefully considered by the Minister. As the Member will appreciate, she only received the report in the last couple of weeks. I think that the group is to present to the Agriculture, Environment and Rural Affairs Committee in the not too distant future, and I am sure that those are issues that you might want to take forward in discussion with the group when it comes before the Committee, bearing in mind the consideration that it will have given to the issues as it was developing the report. I am pretty sure that the Minister, if she was here, would say that she does not want to implement anything that will negatively impact on any aspect or area of our farming community.

Mr Mullan: I appreciate that the Minister of Agriculture and Rural — whatever the title is — has a lot of reports to consider. *[Laughter.]* Can you give us any indication of when, after finishing all her consultations, she proposes to bring forward her proposals around the sustainable land management strategy to the House for discussion and debate?

Mr Hamilton: I do not blame the Member; I struggle with the title myself.

The Member will appreciate that the Minister received the report on 21 October, which is not

that long ago. I am sure that the Member and the House will indulge her and allow her to take some time to carefully consider all the recommendations. As I pointed out in response to Mr Irwin's original question, it is important that she bears in mind the cost implications of implementing it. It would probably be unwise to come forward with a report if she had no understanding or appreciation of where it might be funded from, so she will need to take that into consideration as well as all the wider impacts that Members have raised. If the Member gives the Minister some forbearance, having received the report only on 21 October, I am sure that she will not delay in coming forward with her consideration and, more than that, her conclusions and her way forward in implementing the strategy.

TB Strategic Partnership Group

3. **Mr Frew** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the work carried out by the TB strategic partnership group. (AQO 583/16-21)

Mr Hamilton: The TB strategic partnership group was established in 2014 to develop a comprehensive and practical long-term bovine TB eradication strategy and implementation action plan, to progressively reduce TB levels in the Northern Ireland cattle herd and, ultimately, to eradicate the disease here. TB is an extremely complex disease. There are many different factors that contribute to its spread, and new research and evidence about these factors is emerging all the time. The group has been tasked with developing a long-term strategy, which will set out how we should tackle bovine TB over the coming decades. It is therefore imperative that the group is afforded the opportunity to get this right to ensure that its recommendations are sound, evidence-based and sustainable in the long term. In order to do that, the group engaged with a wide range of stakeholders: scientific and veterinary experts, representative organisations and interested parties. It spoke to international experts dealing with bovine TB in other countries and consulted on the emerging recommendations in its interim report in 2015. Having considered the responses to the consultation, the group further developed its thinking and has now engaged independent consultants to evaluate its recommendations. Minister McIlveen has already held an introductory meeting with the group, and it has recently written to the Minister to outline its plans to formally present her with its strategy and associated implementation plan in December. The group is also liaising with the

AERA Committee to arrange a briefing on its final strategy.

3.00 pm

Mr Frew: Can the Minister update the House in any way on the test and vaccinate or remove project, which is currently going through DAERA and is something that I pushed very hard when I was Chairperson of the ARD Committee?

Mr Hamilton: I recall the Member being Chair of the ARD Committee and this being an issue that he took an interest in at that time. It is an issue that has such a devastating impact on many farmers. Obviously, it also has a significant impact on the public purse because of the compensation scheme.

The five-year wildlife intervention research programme was designed to consider the effects of a test and vaccinate or remove approach on badgers in areas, first, of high confirmed levels of TB, secondly, where there is a high cattle herd density and, finally, where there is a high badger density. In year 1, there were 630 badger captures, 280 of which were unique. At that time, there were no badgers removed, as the Member will be aware. However, all were sampled, microchipped, vaccinated and then released, and that gave baseline data for the rest of the project. In year 2, there were 692 captures, 341 of which were unique. The reports from years 1 and 2 have now been published on the DAERA website. In year 3, the project ran from 16 June until the middle of October this year. There have been some issues with a shortage of vaccine, and the Welsh Government kindly stepped in and helped out the Northern Ireland Department with a supply of vaccine. The Minister is considering options for year 4 to ensure that there is sufficient vaccine in place.

Mr McKee: Does the Minister accept that eradication of TB and not just reduction must be the Executive's goal? Will the Minister commit to making that a target in the next Programme for Government?

Mr Hamilton: As I have said already, the Minister wants to have the ultimate aim of eradicating the disease. She knows, now as Minister but also as a constituency member, the devastating impact that diagnosis of bovine TB can have on a farm and a farming business as well as the cost that it has to the public purse, not least to her Department. Ultimately, eradication is the Minister's aim.

As I have outlined, she will wait for the group to come forward with its final report and, most importantly, the implementation plan, which will lead to not just reduction but hopefully eradication. The Member will know from his background that this is deeply challenging. It is something that many jurisdictions are dealing with and struggle to deal with; that is the important point. England has taken one approach, and Wales is taking a different approach. Northern Ireland will have to take an approach that is tailored to our circumstances. However, be in no doubt that, notwithstanding all the difficulties and challenges that will be inherent in it, the ultimate aim is eradication of the disease from Northern Ireland.

Mr Boylan: I congratulate the Minister on the way he has performed so far. Can he outline the cost of TB to the Department and whether he plans to review the current compensation measures?

Mr Hamilton: I do not have the exact figures here, but I will make sure that they are provided to the Member and the House. The approximate annual cost is £30 million and has been fluctuating around that figure over the last number of years, so, when I say that it is a huge cost to the public purse, those figures bear that out.

My understanding is that the Department has some baseline funding for compensation for TB but always exceeds that on a year-to-year basis. The former ARD Minister sitting in front of the Member will recall having to make bids on a pretty regular basis, and I remember, as Finance Minister, having to meet those bids from monitoring rounds for compensation over and above what was already in the Department's baseline.

It has been costly. It has fluctuated over the years, but it has been between the high 20 millions and the low 30 millions a year. That is unsustainable in the long term. It is important that the plan that has been put in place is evaluated and that the Minister looks at the strategy group's report and, more importantly, implementation plan and takes that plan forward with the aim of reducing bovine TB, and thereby reducing the bill, over time and ultimately eradicating it so that there is no bill for the Northern Ireland Executive.

Mr McGlone: What recent discussions has the Minister or the Department had on the availability of the bacillus Calmette-Guérin vaccine to prevent the spread of TB in the

badger population? I appreciate that you may not have the answer at your fingertips, Minister.

Mr Hamilton: I suspect that I know as much about that as the Member. *[Laughter.]* He is absolutely right: I do not have that information, either in my head or in front of me, but I will make sure that the Minister writes to the Member in good time and provides him with that information.

Areas of Natural Constraint Scheme

4. **Mrs Barton** asked the Minister of Agriculture, Environment and Rural Affairs when she will make a decision on future funding for the areas of natural constraint scheme. (AQO 584/16-21)

Mr Hamilton: Minister McIlveen announced in June that she will not reduce the basic payment scheme to fund an areas of natural constraint scheme under pillar 1 of the CAP. She also announced at the time that there would not be a pillar 1 to pillar 2 transfer to fund an areas of natural constraint scheme in pillar 2 under the rural development programme. The Minister is still considering other options that might be available.

Given the pressure on the budget of both the Department and the Executive, providing any additional support will be challenging. Long-term value for money cannot be ignored, nor can the redistribution of pillar 1 moneys, which is already occurring as a result of the transition towards flat rate support in pillar 1.

Mrs Barton: As you said, Minister, the Agriculture, Environment and Rural Affairs Minister keeps saying that she is considering options, but that is of little comfort to our farmers and landowners who are waiting for a decision. As the Economy Minister, can you give us a decision on the funding?

Mr Speaker: The Minister is not here to answer in his role as Economy Minister.

Mr Hamilton: Thank you for that, Mr Speaker. The Member has tempted me into committing my colleague to certain things, which is a very dangerous position for a Minister to be in. I am not going to do that, as guided by the Speaker.

I understand why the Member asked the question. When I look at the data in front of me on the current area of natural constraints scheme, I see that businesses in her constituency — some 2,708 — have received support of around £5.3 million. So, I

understand why the Member would ask the question and ask it in the way that she did.

The Minister is, rightly, taking her time to carefully consider the issue. She has made it clear what she is doing. As I outlined in my answer to the substantive question, there is a very good reason why she does not want to fund a scheme under pillar 1 and why she does not want to do a pillar 1 to pillar 2 transfer, namely because of the pressures that are already on pillar 1. Therefore, she is looking at other options that might be available to her.

I accept that there will be many, including many of the Member's constituents, waiting for an answer and hoping for a positive one, but I am sure that the Member will appreciate and understand, and therefore communicate to those people, that there are good and valid reasons why the Minister has not agreed to fund a scheme out of pillar 1 or to switch from pillar 1 to pillar 2.

Like all Ministers, her budget is under immense pressures elsewhere, but be assured that the Minister is taking her time to carefully consider what options might be available to her, including a bid during the upcoming Budget round.

Ms Gildernew: In light of what the Minister has said, are he, as an Executive Minister, and the Agriculture, Environment and Rural Affairs Minister aware of the importance of the areas of natural constraint scheme, especially with the fear and concern that is out there in light of the EU referendum result?

Mr Hamilton: The Minister is aware of the concerns that farmers in many parts of Northern Ireland have about a new scheme. That is why she has not ruled out a scheme completely; she has carefully considered it, notwithstanding the restraints and pressures that she faces on her budget. There are very valid reasons why she has decided not to take the money from elsewhere. The Minister is taking her time to look at other options. I am sure that, in due course, she will come forward with her finalised view in respect of what the future might hold.

Connswater River

5. **Mr Douglas** asked the Minister of Agriculture, Environment and Rural Affairs what action her Department is taking to improve the water quality and habitat conservation of the Connswater river. (AQO 585/16-21)

Mr Hamilton: The main actions taken to improve the water quality and habitat conservation of the Connswater are delivered as part of the north-eastern river basin management plan. Measures involve working to improve understanding of the pressures in the area and improve the evidence to target actions in an effective way. Most of those measures require working with other Departments or organisations, and key to delivery is active engagement with stakeholders through partnerships and catchment projects. Specific actions include working with the water industry to minimise the pollution risk from combined storm overflows, which are points on the sewerage network designed to overflow in the event of blockage or very wet weather. Other actions include providing guidance and information to help communities protect and enhance local streams and rivers in the urban environment.

Examples of specific actions in the Connswater include: rubbish removal from the river; areas of semi-natural habitat created; management and control of invasive species; and new, improved bridges and crossings. As part of the greenway project, large areas of the rivers have been improved by removing sections of historic concrete channels and creation of more natural river courses. Over time, that will improve the biodiversity and water quality of the rivers.

The Northern Ireland Environment Agency (NIEA) is currently working with Northern Ireland Water to address a number of discharges to the Connswater. The pollution hotline number is publicised on signage within the Connswater greenway to allow the reporting of pollution. NIEA is a key partner in the Department for Infrastructure's Living with Water programme, which aims to contribute to the improvement in the quality of water in the Belfast lough catchment area, which includes the Connswater. NIEA officers continue to have good links with Connswater Community Greenway staff, and it is hosting a stakeholder workshop on 15 November for the north-eastern catchment area at Mossley Mill to identify future partnerships.

Mr Douglas: I thank the Minister for his answers thus far. The Minister mentioned the clearing up of some rubbish on the Connswater river. Certainly, with regard to the Sam Thompson bridge, some people talked about it as a bridge that goes nowhere, but we have had nearly 500,000 people walking over it. I welcome the work that has been done there. Will the Minister outline to the House what progress has taken place with the flood alleviation scheme?

Mr Hamilton: I know the Member is very familiar with the greenway, probably as much from cycling around it. I look forward to cycling its full length when it is constructed. One of the benefits of the overall project has been the flood alleviation scheme. Significant parts of east Belfast's flood alleviation scheme are being delivered as part of the Connswater Community Greenway project. The overall scheme sees an investment of £12 million to alleviate the impact of flooding on nearly 1,700 homes. It is due to be completed early next year. Some 270 properties adjacent to Orangefield Park and Victoria Park are already benefiting from upgrades. That was a £1.7 million element of the overall project.

This is good and positive work, and I know that the Minister particularly wants to welcome the good collaboration that there has been among a range of Departments, including our own, and also with Belfast City Council and the Connswater Community Greenway Trust.

Mr Speaker: I call Mr Seán Lynch. I advise the Minister that we need a quick response.

Mr Lynch: Will the Minister assure the Assembly that water quality and habitat conservation will continue to have priority in all our inland waterways?

Mr Hamilton: I am sure that the Minister will always want to ensure that water quality is one of the things highest on her agenda as she is looking to fulfil her duties to protect and enhance our local environment.

Mr Speaker: That ends the period for listed questions. We will now have 15 minutes of topical questions.

Mr Durkan: It is fair to say that, today, the Minister has demonstrated that he is capable of answering questions on anything apart, maybe, from how he voted on Brexit.

Climate Change Legislation

T1. **Mr Durkan** asked the Minister of Agriculture, Environment and Rural Affairs, given that it is almost a year since the historic COP21 agreement and that it is a few days since that agreement came into force, to outline the Executive's view on the need for Northern Ireland-specific climate change legislation. (AQT 426/16-21)

Mr Hamilton: I thank the Member for his initial remarks.

I have always believed — I think that it is the Minister's view as well — that Northern Ireland does not need specific climate change legislation. Legislation to address climate change is already in place in the form of the UK's Climate Change Act 2008. Given the Member's past job as Environment Minister, he will be aware of the ambitious long-term targets in that legislation to reduce greenhouse gas emissions by 80% from 1990 levels by 2050 across the UK. It also makes it a requirement for Northern Ireland to produce a climate change adaptation programme that addresses our particular risks and opportunities. Northern Ireland continues to play its fullest role in reducing greenhouse gas emissions as part of the overall UK reduction. The latest greenhouse gas inventory, which was published in June 2016, shows a reduction of 17.4% from 1990 levels. Updated projections published last year show that we are broadly on track towards achieving our Programme for Government target, which was set by the previous Executive, of a 35% reduction by 2025.

The Member is or ought to be well aware of the particular circumstances and issues that face Northern Ireland's much larger agri-food industry compared with those across the water, issues in the manufacturing sector of our economy and issues with transportation. I do not want any Northern Ireland-specific climate change Bill being passed that would impede our economic development or have the perverse consequence of increasing problems elsewhere. If our agri-food industry cannot grow, we will have to import food from somewhere else, which will impact on carbon and greenhouse gas emissions elsewhere.

3.15 pm

Mr Speaker: I remind the Minister of the two-minute rule.

Mr Durkan: I thank the Minister for his answer. He will be aware that we are the only region on these islands that does not have its own specific climate change legislation. Our reliance on the agri-food industry, for example, is very similar to that of the Irish Republic. Does he accept at all that Northern Ireland-specific climate change legislation and Northern Ireland-specific targets for the reduction of emissions could and should be beneficial to our economy as well as to our environment?

Mr Hamilton: If others have decided to do something, that is entirely a matter for them; that is what devolution is about. It is for us to decide in Northern Ireland what we want to do

for Northern Ireland and not slavishly follow what others do. We are making good progress. The Member mentioned targets, and I remind him that the last Programme for Government had a target of a 35% reduction by 2025 and all the indications are that the Executive are on course to have that 35% reduction on 1990 levels in place by 2025. I do not accept — I am sure that the Minister would agree — that there is a need for Northern Ireland to have its own legislation. Northern Ireland is making a contribution, as the evidence shows, and it is doing so as part of the overall UK legislation.

Farm Business Improvement Scheme: Business Development Groups

T2. Mr K Buchanan asked the Minister of Agriculture, Environment and Rural Affairs for an update on how the Department plans to open up and allow more dairy and pig farmers to join the discussion groups under the farm business improvement scheme. (AQT 427/16-21)

Mr Hamilton: The Member and many others in the House will know that, on 27 October, the Minister announced that the farm business improvement scheme's business development groups would reopen to dairy and pig farmers in the middle of November. The business development groups bring farmers together to share knowledge and skills to help them to make informed decisions about adopting new technologies and developing their businesses. This additional tranche is aimed at dairy and pig farmers because, as the House will know, farm-gate prices for both sectors have been below the cost of production for a significant time. Further details on the reopening of the business development groups scheme will be published in the coming weeks and will be made known through the farming and agriculture press.

Mr K Buchanan: I thank the Minister for his answer. Many pig farmers will welcome the news. Does he agree that the pork industry welcomes the efforts made by the Minister, who is visiting China, on their behalf to open new markets for Northern Ireland?

Mr Hamilton: The Minister is in very regular contact with the pork industry and is aware of its export aspirations. She is working very hard on an ongoing, regular basis to target access to key strategic markets, including her mission to China. She is there at the moment, which is why she is not here. She gets to go to China, and I get to come here and talk to you. The

world is ill divid, I think. She is there, of course, to promote the best of what Northern Ireland has to offer and to help to move forward the final approval for export of Northern Ireland pork to China — and a very lucrative market it is anticipated to be. There are estimates that it could be worth an additional £10 million to the pork industry in Northern Ireland. Given where prices have been for some time, that would be a most welcome boost to the industry here in Northern Ireland.

Prior to leaving on her mission to China, the Minister met the chief executive of the Northern Ireland Pork and Bacon Forum, who indicated that the industry was very supportive of her mission, as am I, not just generally but particularly in my role as Economy Minister. It is incredibly important that we begin to look beyond not just our own region and the British Isles but well beyond Europe, particularly to strong and emerging markets such as China. That is particularly true for the agri-food sector, for which there are huge opportunities in markets such as China and elsewhere.

Mr Speaker: Mr Edwin Poots is not in his place. Question 4 has been withdrawn.

Farmers: Subsidies

T5. **Ms Mallon** asked the Minister of Agriculture, Environment and Rural Affairs, in reference to a question asked by Mr McNulty, whether the Minister for the Economy agrees with the position of the British Minister with responsibility for farming George Eustice that we should end the notion of subsidies for our farmers. (AQT 430/16-21)

Mr Hamilton: I do not think that I have ever had the chance to say this in the House: Mr Speaker, I refer the Member to the answer that I gave some moments ago.

Ms Mallon: I will go back to Hansard, but I asked the question again because I am still unclear. May I, then, ask the Minister whether the Executive stand over the Agriculture Minister's statement during the referendum that agriculture here relies on subsidies and there is no reason why they would cease outside the EU? Given that, can he shed any light on how much will be given in subsidies to Northern Ireland farmers and for how long post any Brexit?

Mr Hamilton: Regardless of whether the UK is in or outside the European Union, we have an agri-food sector and industry that require support. I know that the Minister is working

very hard in close consultation with the industry in Northern Ireland. She and I co-chair a Brexit consultative committee that brings together stakeholders from across the sector to take their views and the temperature of the industry to identify the challenges and opportunities for the sector in Northern Ireland. Amongst the issues that they and others raise with us is the need to have a support scheme in place post the UK leaving the European Union. I look forward to that being much less bureaucratic and much less difficult to operate than the scheme currently in place.

Reeves's Muntjac

T6. **Mr Wells** asked the Minister of Agriculture, Environment and Rural Affairs what steps the Department is taking to eradicate Reeves's muntjac, given that she will be aware of its prevalence in the Strangford constituency. (AQT 431/16-21)

Mr Hamilton: I thank the Member for raising the issue, which is one that the Department is very aware of. As the Member identifies, it is an invasive species native to parts of Asia, and one wonders how it ended up in Northern Ireland. The species was introduced, I think, in the early 20th century and has since spread rapidly. It negatively impacts on woodland and is a cause of increased traffic collisions. The Department is taking a number of actions, including specific action at local level, surveillance activity and research when necessary. The Department has also developed an exclusion strategy and contingency plan for a range of non-native deer, including the muntjac.

The Member mentioned my Strangford constituency. The Mount Stewart muntjac action group was established in 2010 in response to increased sightings in the area. It comprises departmental officials, academics, estate landowners and environmental NGO interests. A muntjac deer action plan for the Mount Stewart National Trust site and adjacent properties was developed and is being implemented by National Trust and Forest Service staff along with five registered volunteer marksmen approved by the group's selection criteria.

Mr Wells: I am sure that the Minister is not having sleepless nights about the issue, but it is serious in the sense that the species is causing severe damage to forestry and farmland in the rest of the United Kingdom. Has he any idea or can the Northern Ireland Environment Agency

give us any indication of how many Reeves's muntjac there are in Northern Ireland?

Mr Hamilton: I do not have a number. There are some estimates around identifying areas in which it is located, and the Member mentioned the Ards peninsula, where there is a concentration of them. I do not think that anybody knows exactly how many there are, but there have been 103 reported records of muntjac deer sightings, on the database of the Centre for Environmental Data and Recording. However, not all these records have been verified and, of course, there could be duplicate sightings contained within that. There is a significant enough issue. It has been identified as an issue and a problem by the Department, hence our work on the Mount Stewart group that I mentioned, and we will work very closely with all the stakeholders to do our very best to eradicate this very worrying, troubling and dangerous invasive species.

Snares: Complete Ban

T7. Mrs Long asked the Minister of Agriculture, Environment and Rural Affairs whether the Department has any intention of introducing a complete ban on the use of snares, given the concerns expressed by members of the public about the continued use of snares, with recent research showing that not only are they indiscriminate and cruel but they are an inefficient method of pest control. (AQT 432/16-21)

Mr Hamilton: I recognise, as I am sure the Member does, that the issue of snares is very emotive. On one hand, many animal welfare groups will argue that their use often results in the indiscriminate suffering and killing of non-target species such as badgers, hares or even, on some occasions, domestic pets, and such groups have long-standing campaigns for an outright ban on snares. On the other hand, you will get land managers, farmers and country sports organisations seeing snares as a very necessary and cost-effective means of protecting livestock, particularly lambs, and game birds from foxes.

In Northern Ireland, the use of snares is regulated by the Wildlife (Northern Ireland) Order 1985, which has been subsequently amended. There was a debate during the passage of welfare of animals legislation in the House in the previous mandate on the continued use of snares. That primarily involved arguments around the welfare concerns that the Member has spoken about, and the usual arguments were put forward.

The Assembly obviously decided that snares should remain a legal means of capturing pest animal species, and, given all that, my understanding is that the Minister has no plans to ban snares. Therefore, there are two basic options left. One is to maintain the status quo and the other is to introduce additional measures along the lines of looking at the system a lot more to try to see if anything can be done to improve it in whatever way possible but short of an outright ban.

Mrs Long: I thank the Minister for his response. Clearly, it is disappointing, because I think that an outright ban would be better given that, whilst they may be cost-effective, snares are an inefficient means of pest control. When does he expect the Department to be able to bring regulations forward to potentially limit the use of snares and introduce further restrictions to limit cruelty, for example, regular checks on snares and limitations to closures?

Mr Hamilton: The Order gave the Department powers to set certain standards in the use of snares. The Order places additional requirements on anyone who uses snares, including that all snares must be fitted with permanent safety stops and must not be set in a manner where the animal is likely to become fully or partially suspended. The draft order requires the agreement of the Assembly to be brought into force by way of affirmative resolution, and I am aware that the Minister's predecessor in the Department of the Environment undertook some further consultation with stakeholders after the public consultation finished to assist the then Minister in deciding a way forward. The Minister has, I understand, decided to take the Snares Order forward, and officials are working on the legislation. I will ensure that the Minister writes to the Member to update her on the timescale for that.

Mr Speaker: Members, that concludes topical questions. Time is up.

3.30 pm

Question for Urgent Oral Answer

United Airlines

Mr Speaker: Ms Sinéad Bradley has given notice of a question for urgent oral answer to the Minister for the Economy. I remind Members that, if they wish to ask a supplementary question, they should continually rise from their place. The Member who tabled the question will be called automatically for a supplementary.

Ms S Bradley asked the Minister for the Economy to outline all conversations and communications he has had with the European Commission regarding the legality of the bailout of the United Airlines Belfast to Newark route prior to and after issuing ministerial direction.

Mr Hamilton (The Minister for the Economy): It is important to recognise that we were not obliged in this case to notify the European Commission of the support to United Airlines, as it was our view that the agreement did not meet the criteria to be considered as state aid and therefore did not require Commission approval. At the request of United, the agreement with it required engagement with the Commission to confirm the position on state aid. We had indicated to the Commission back in August that we would engage on the agreement, and, in September, my Department provided a paper that had been agreed with United setting out, for the purpose of getting certainty on the position, the case for support.

Members will also recognise the tight deadline set by United to agree support for the route. When United indicated to us during the summer that it was considering reallocating the plane, we had to act quickly to put in place an agreement to sustain the route, and that was achieved in mid August. Given the deadline for putting the support in place, there was no opportunity during that period to engage with the Commission before then.

We recognised from the outset that the agreement would be of interest to the Commission and other airlines, and therefore the value of meeting the Commission. The meeting took place on 27 October and involved officials from my Department and representatives of United. At the meeting, my Department was informed for the first time that

a complaint had been received by the Commission. The Commission also indicated that it was under a duty to investigate the complaint and that its initial assessment, although not a formal legal position, was that state aid was present. In the light of the Commission's viewpoint on the support, United decided to terminate the agreement at the end of last week and returned in full the one payment that had been made.

Ms S Bradley: I thank the Minister for his answer. If I am right, he has told us that no conversation happened before the ministerial direction, which I find quite disturbing. I put it to the Minister that this is our only direct air route from Northern Ireland to the United States. There was no room for a blunder, and yet a blunder there was. Can the Minister advise on what urgent action he has taken, along with the Executive, to address the issue and ensure that we have a direct route to the United States as soon as possible?

Mr Hamilton: I share the Member's regret at losing the flight, but she cannot have it both ways. She cannot argue, on the one hand, that it is important that I, in my role, and the Executive as a whole step in and take action to try to maintain the route — the Member acknowledged the importance of seeking to maintain a daily direct transatlantic route — and, on the other hand, with the set of circumstances that we faced back in the summer, which was effectively an ultimatum from United Airlines, that we should not have moved to take the requisite action. Ultimately, it did not work out on this occasion, but, faced with the same set of circumstances again, I would do the same thing. The reason for that is that I am charged in my job to stand up and fight for Northern Ireland. Faced with the circumstances that we were in over the summer, I put in place a package of support in conjunction with the International Airport, which we work with very closely. On this occasion, it did not pass muster with the European Commission, for which, of course, the Member and her party are great cheerleaders. By the indication that it gave during the meeting on 27 October, it effectively scuppered our one and only direct transatlantic flight. I am sure that the Member will reflect on that point.

The Member has issued statements over the past couple of days indicating that we were reckless with public money. I hope that she and her party will recognise that, because we knew that the agreement would be of interest to the Commission and given that United wanted to take a view from the Commission — this is why we were not reckless and did not do the

wrong thing — we put in place very clear criteria to ensure that, if the Commission said that there was state aid present, the Executive would get all the money paid back with interest.

Therefore, the one payment of \$1 million that has been made to United Airlines is, I understand, coming back to us with interest today. The Member should reflect on that when she talks about the Executive and me being reckless on the issue.

Mr Aiken: I thank the Minister for his comments. I am sure that the Minister, with me, would be considerably concerned about the impact that this is having on the airport and Northern Ireland's reputation. My specific question is around who raised the issue with the EU Commission. Going forward, one of the things that we have considerable concern about is what is increasingly being seen to be a Dublin Airport Authority cartel and the attempts to stifle Northern Ireland air traffic. Does the Minister agree with me that what we need to be looking at doing as part of a revised strategy is the removal of air passenger duty, improving the communication links to the airport and doing something about that unfair competition?

Mr Hamilton: I thank the Member for his comments and regret about losing the flight. As I pointed out in my original answer and in statements issued at the end of last week, we did not believe that this was an issue of state aid. The Member will know that state aid is built upon unfair competition. We did not believe that a situation where we have only one daily flight — seven flights a week — to the States was in any way unfair competition with an airport in Dublin where there is, I think, 155 flights a week. Clearly, no other airports in Northern Ireland — the City of Derry Airport or Belfast City Airport — provide flights to North America. Therefore, we did not think that there was an issue around state aid and competition. That was the no-aid argument that was put to the European Commission at the insistence of United Airlines. It wished to go to the Commission to confirm that. That was the basis on which we engaged with the European Commission, culminating in the meeting on 27 October that I have outlined, where the indication was given by the Commission that this package of support was non-compliant with state aid.

The Member mentioned air passenger duty. It is worth noting again that this flight benefited from having no air passenger duty. I cannot remember when the legislation passed through the House. I think that it was about 2011 or

2012. I think that sometimes the issue of air passenger duty in respect of long haul, given that we have not secured any other direct long-haul flights, is overstated. It was important in trying to keep this flight, and we did keep it for a lot longer, but clearly it has not worked to attract other flights. In respect of short-haul flights, the Member will be aware, given that the International Airport is in his constituency, that over the last while, through the efforts of the International Airport, there has been attraction of a significant number of additional flights which are affected by APD. Obviously those airlines are not being put off.

I think that we all have concerns about the impact that Dublin Airport is having. We need to start seeing it less as our direct competition. It is an airport that has, I think, 30 million passengers going through it annually versus roughly 10 million passengers going through Northern Ireland airports combined, although that has been on the rise. What we need to do, and what I will seek to do in this post, is try to get the airports — I know that they see themselves as being in competition, and they are, in many respects — to work more closely together, treat them all collectively as strategic assets for the Northern Ireland economy and get them all to work for what is best for Northern Ireland without always looking over our shoulder at our perceived competition in Dublin.

Mr Dickson: Thank you, Minister. Is the reality of the situation that you raised unrealistic expectations with both Belfast International Airport and United Airlines by your action in taking the ministerial direction? Is the reality of the situation that what we actually need is a clear economic strategy for Northern Ireland that will deliver jobs and businesses, which will drive businesses to want to have air connectivity to the United States and beyond? A clear economic strategy is what will deliver sustainable airlines to us in Northern Ireland.

Mr Hamilton: I do not accept the argument that we raised unrealistic expectations with anyone, not least the International Airport or United Airlines. I hope that the Member appreciates from what I have said already that we worked very closely in conjunction with the International Airport. We spent many hours face to face and on the telephone working with the International Airport to develop the support package, which I think has been, unfairly for the International Airport, characterised as an Executive support package and misses the point that a substantial part, one third, of the support package was coming from the International Airport itself. It was very committed to this. It wanted to do

this. It saw it, as I did, as incredibly important for Northern Ireland. That is why we worked very closely together. We will continue to work closely together, even in spite of the setback, to try to improve Northern Ireland's air connectivity. I did not raise unfair or unrealistic expectations with the International Airport, which we work very closely with. United, the Executive and my Department came to the same conclusion around a no-aid argument. It was at United's insistence that we double-checked this with the European Commission. Unfortunately, that is where it went awry; bureaucrats in Brussels have, effectively, put the dead hand on it.

Separating the economic strategy point out a little, I absolutely agree that we need an economic strategy. We have one in place, and we are in the process of refreshing and renewing it. I look forward to it being published in the not-too-distant future and to the Member's wholehearted support for the refreshed and renewed strategy. The Member is right, in a sense. If we want to do lots of things in our economy, not least improve our air connectivity, those will be helped by a growth in our economy. Our economy has grown in recent times. I am very pleased with the growth that we have had in our economy; it has grown by 1.6% in the last year. The Member is right: we need to, in some ways, change the profile of our economy and support strong and emerging sectors that will improve it as a whole and act as a bit of a magnet for more direct air connectivity not just to North America but to a range of important airports around the world.

Mr Clarke: I am sure that it is not lost on the Minister that the first two Members to ask questions would, only some months ago, have supported the faceless bureaucrats and dictators of Europe who interfered in the good decision that the Minister and his Department made to secure that airline. Given that they interfered and made that decision, how hopeful is the Minister that something can be done to restore that route or encourage some other airline to operate in and out of Belfast International Airport and restore that route back to Northern Ireland?

Mr Hamilton: The Member makes a fair point. Some have extolled the virtues of the European Commission in the Chamber in recent days. When they are next thinking of doing that, they should bear this in mind as it is perhaps the perfect example of the heavy hand of Brussels coming in and impacting negatively on Northern Ireland. We are told that Europe is a friend of Northern Ireland, but here we have our only direct transatlantic link being, in effect,

scuppered by the intervention of Brussels bureaucrats.

The Member asks a perfectly natural question in the circumstances: how can we seek to replace the route? It will be challenging to replace the exact same route, but that does not mean that we are not working very hard to try to find similar replacements. I have had conversations even in the last week with the airport about other airlines that may be interested in doing direct transatlantic flights from Belfast. I will continue to follow those up over the coming days to try to secure them. It would be good news and a boost for Northern Ireland if we were able to do that. It is challenging and difficult, but one of the things that the package of support that we put in place for United did was to show many airlines around the world that Northern Ireland is open for business and is looking to attract more direct air routes to all parts of the world. There are more new airlines coming forward. Whilst this is clearly bad news and a setback for the International Airport and Northern Ireland as a whole, it has at least had the benefit of raising our profile in the airlines sector. Many airlines are approaching different airports in Northern Ireland to see whether they can come into Northern Ireland and what sort of assistance we, as an Executive, might be able to give them.

Ms Archibald: I thank the Minister for his answers so far. What will the impact of the loss of that direct flight be in the short term?

Mr Hamilton: In the very short term, the route continues until, I think, 9 January. It has been a very beneficial route for Northern Ireland. We have been able to use it to promote Northern Ireland's reputation as being open for business. Many of our inward investors have used it on some of their trips here. I have had the opportunity in this job to speak to many existing investors and some potential investors who have come to Northern Ireland to look at what we have to offer. There is a mixture as to where those businesses fly in to.

Whilst this is a blow — I would not stand here for a second and try to suggest to anyone in the House that it is not a blow or a setback for Northern Ireland — we have to acknowledge that it was not used by every inward investor, every company in an inward or an outward trade mission, or by every tourist. If it was, we would not be losing the route; it would have been much more viable than it was. Yes, it does have an impact; it is certainly the case that it has an impact. As I said to Mr Clarke in

response to his question, we will work very hard to make sure that any impact is mitigated as quickly as possible by trying to attract other routes to North America and indeed to other key hubs around the world.

Mr Allister: The Minister said that this went to Brussels because United wanted clarification. Did you also say that, separate to that, there was a complaint? If so, who was the complainant? With regard to the airport as a whole, has there not been a failure for many years both before and, sadly, since the return of devolution? There has been an absence of a strategic holistic approach to the development of the International Airport with regard to its communication and rail links — nothing. Its roads are as they were 10 or 20 years ago. Has there not been a holistic failure to develop the airport and that, in part, is a contribution to its dwindling prospects?

Mr Hamilton: The Member asked several questions. First, we went to the Commission at the insistence of United. We both believed, and we strongly believed, that it was a no-aid argument, but they wanted to clarify that point, and that is why we went to the Commission. Otherwise, as the Member will know with his familiarity with the European Commission, there would have been no requirement for us to go to the Commission, but it was their insistence that we did that, and we obliged.

I did say that, as the Commission confirmed in its statement on Friday evening, there was also a complaint separate to that process. We are not privy to who the complainant is. Another one of the oddities of the European Commission's process is that we, who have put the package of support in place, are not allowed to know who our accuser is. We could surmise and suggest who it might be. It could possibly be another airport; more likely, in my view, it was another airline. My conclusion is that no matter who it was, they are no friend of Northern Ireland. We may not find out who it is. I would be very interested in finding out who it is, but we may not, given that the Commission confirmed on Friday evening that, because of United's action in withdrawing the flight, the case is now closed. If I learn differently, I may inform the House.

With regard to the overall position and the development of the airport, I am not going to point fingers backwards or sideways, but I think that the Member's point is right, even though I do not necessarily agree with the way in which he made it. I tried to say, in response to Mr Aiken, and indeed in response to Mr Aiken's questions on the issue some weeks ago, that

perhaps in the past because we have three airports in Northern Ireland we left them to their own devices somewhat. I do not think that that is right. We have a stake, as an Executive, in all those airports performing to the best of their abilities, and we should support them in doing that. Within the remit and responsibilities of my Department, my view is that we should treat the airport as a strategic asset for Northern Ireland. The Member will appreciate that it is not a simple matter of going in and addressing all those issues in one go, but I would like to see many of those issues dealt with. I am seeking to work much more closely with them, but also collectively, to develop all the airports in Northern Ireland so that they can reach their full potential and benefit the whole of the Northern Ireland economy.

Mr Agnew: The benefits of this flight have been repeated over and over again in the House. What hard evidence do you have that there were direct benefits of the flight? What was the magnitude of that direct benefit, and what cost-benefit analysis was done when he and the Executive agreed to this extra subsidy over and above the existing air passenger duty subsidy? If you are seeking to attract other flights, will you open such business cases up for public scrutiny? If you want us to conclude that you have not been reckless with public money, surely we need to see that detail. Otherwise, the suspicion is that not only is Northern Ireland open for business, but it is wide open.

Mr Speaker: I ask the Member to come to a question.

Mr Hamilton: We may have found the complainant in the far corner. It is hard to take criticism from the Member, who is part of the political movement that rates air travel as the lowest priority of any mode of transport. The Member would probably have us tooting about on bikes everywhere and not going in cars, buses, trains or planes at all. The Member's criticism does not rest easy.

The Member talks about reckless use of public money, but we were foresighted enough — even though we believed that it was a no-aid issue, with United asking that we go to the Commission — to ensure that there was a clause in the contract specifying that if it fell awry and United Airlines pulled out, we would get all of our money back, which is what we are getting back, with interest. By any definition, that would not be considered a reckless use of public money. In my view, it was a good use of public money, because of the importance of having the route. The evidence of its

importance is evident in the House today, in that everybody, with the exception of the Member and maybe one other, thinks it is a good thing to have the route, and a good thing to have more direct routes to North America and elsewhere.

Clearly, it had a benefit in three ways, through inward investment, inbound tourism and keeping trade links in place. I am very much focused, in this job, on expanding Northern Ireland's trade opportunities. I am not sure whether the Member is supportive of expanding and improving Northern Ireland's sales outside of this region, but if he was, he would appreciate that better air connectivity is very much part of doing so. That is why — as I said to other Members — I am going to work with the airports to develop new policies and interventions that can step in and try to attract more routes to key hubs and key markets around the world.

Mr Lyons: The vast majority of Members across the Chamber understand the importance of having a direct air route to the United States, so I commend the Minister and the Executive for the work that they have done so far, because I am sure there would be an awful lot of complaining and yapping from that end of the Chamber if the work had not been carried out during the summer.

Further to the response that the Minister gave to Mr Clarke, can he assure us that he will put energy and effort into securing a replacement for this route? If it is not possible to get a route from Belfast to Newark, perhaps we can cast the net a little to some of the other hub airports in the United States, such as Boston or Atlanta, Dulles or Philly?

Mr Hamilton: I thank the Member for his comments. To the list that he put on record, I add my thanks to the International Airport for all of its efforts both in lobbying and, ultimately, putting its money where its mouth was. The Member is right: Members will understandably want to come to the House and ask questions about why it did not work out or why it did not work on this occasion, but they would have done a lot more complaining — justifiably so — if we had not stepped in during the summer to put in place a package of support that ultimately kept the route for longer than it might have been there; we had hope of keeping it for a three-year period.

In respect of attracting more, I was remiss in not saying this to Mr Clarke, but the Member will be aware that I recently indicated my intention to establish an air routes task force,

although it is not set up yet, to look at, develop and devise new policies, new strategies, new interventions and new measures of support that we can put in place to attract new air routes to Northern Ireland, regardless of the airports, so that we can improve our air connectivity. I look at other airports around the world, including the United Kingdom and Ireland, that are able to attract routes even though their markets are smaller than ours. That is not on the basis of us having some sort of smaller or inferior economy, as Mr Dickson suggested; it is because of the support provided to them. We need to be cleverer, we need to be smarter and we need to devise new policies and interventions that will secure those sorts of routes, embed them in Northern Ireland and benefit our economy, tourism and trade as a result.

Mr Durkan: Can the Minister tell the House how much funding has been received for our airports over the years from those faceless bureaucrats in Europe, through various structural and transportation funding programmes?

Mr Hamilton: I do not have that information with me, but I am happy to write to the Member and provide him with information about how much of our own money we were getting back from Brussels via that route.

Mrs Cameron: I thank the Minister for his answers so far. I commend him and the Executive for standing up for Northern Ireland and trying to save this key route. I am glad that he has put on record his thanks to the airport and, in particular, to the management. I was in touch with the managing director over the weekend, and management is devastated by the loss.

The Minister mentioned the air routes task force and the efforts to create new routes. Will he give us an update on the efforts that have been made to open other routes to Northern Ireland from places such as China and the Middle East?

Mr Hamilton: Understandably, given the news last week, there has been a focus and emphasis on ensuring that we develop new routes into the US, which is an incredibly important trade destination; in the last year, exports to the US increased by 74%. It is by far our biggest inward investor; some 185 US companies have invested here. It is understandable, given the loss of the Newark flight, that people will want to see how quickly we can replace that or have a similar flight.

The Member is right: other markets around the world are key to growth in the global economy. She mentioned China: the Minister of Agriculture, Environment and Rural Affairs is in China this week trying to open up China for pork exports from Northern Ireland. That area is clearly worth our consideration as to whether there is availability for a route. The Member also mentioned the Middle East. That part of the world, in spite of recent setbacks with oil prices, still has a booming economy that is growing very fast, and it is keen to have a post-Brexit free trade agreement with the United Kingdom. I visited the Middle East a few weeks ago, and part of the conversation was on air connectivity. There are lots of fast-growing airlines in that part of the world that are looking for bases in this part of the world to fly on to North America and elsewhere. It is not just about America; it is about places like Canada, the Middle East, China and elsewhere. It is about getting Northern Ireland better connected to key and, in particular, growing markets around the world.

Mr Speaker: Members, that concludes this item of business. I ask the House to take its ease while we change the top Table.

4.00 pm

Matter of the Day

Violent Incidents in West Belfast on 6 November 2016

Mr Speaker: Mr Alex Attwood has been given leave to make a statement on the violent incidents in west Belfast on 6 November 2016 that fulfils the criteria set out in Standing Order 24. If other Members wish to be called, they should rise in their place and continue to do so. All Members called will have up to three minutes to speak on the subject.

Before we begin, I advise Members of the need to take care in their contributions today. I say that because it has been reported in the media that there has been an arrest in connection with one of the incidents. In accordance with my responsibilities under Standing Order 73, I caution Members to be particularly careful that they say nothing in their contribution that might prejudice the outcome of those active legal proceedings. I remind Members that I will not take any points of order on this or any other matter until the item of business has been concluded.

Mr Attwood: Thank you, Mr Speaker. It is important that this Matter of the Day was accepted, because it is important that the House shows its support for and solidarity with not just one family, arising from last night's terrible incident, but other families who, in recent weeks, have also lost a loved one and are grieving. It is important that the House has the opportunity to send a united statement of support and solidarity to those families and to people in West Belfast who have been witnesses to, close to or affected one way or the other by the recent killings in the constituency and by other incidents there over the last number of weeks, including a purported paramilitary attack last night not far from the scene of the latest killing.

It is also important that we take the opportunity to stand in solidarity with the people of West Belfast, who, over many, many years and in recent days, have continued to show resilience and fortitude in the face of people who are involved in activities that are utterly unrepresentative of and against the wishes of the community of West Belfast. Those involved in the purported paramilitary incidents represent nobody but themselves and act solely on behalf of themselves. They are on the backs of the people, and the organisations involved in

activities up to and including murder should get off the backs of the people because the people have no time or place for what they do.

It is also important to say to everybody — every citizen, every organisation and every community representative — that any genuine information needs to be brought to the attention of the police. The police said last week that, in respect of the tragic murder of Joe Reilly, they were following active lines of investigation. Given that the police have said that, there is a responsibility on each and every citizen with any genuine information to provide that to the police in order to ensure that those responsible for any and all of the recent terrible activities are identified, arrested, prosecuted and imprisoned for the crimes that they have committed.

Last night's incident was another terrible one, and it involved a man who, by all accounts, was very well regarded and well known. The House should send to his family and all families affected its sympathy and condolences.

Mr F McCann: I echo Alex Attwood's words. Over the past number of weeks, a number of incidents have taken place in West Belfast in which young people have been shot by people who represent nobody. Last night, as word travelled round, I received several calls from people in and around the Springfield Road, informing me that someone had been shot. They pointed out to me that these people represent nobody. After another incident last week, my colleague Jennifer McCann told these people to get off our backs and that we were about building for the future, not dragging people back to the past.

I received phone calls last night from residents of Divis Tower to inform me that an incident had taken place and that a body had been found in suspicious circumstances. I was in Divis Tower this morning, and people were shocked to learn that James Hughes had died in those circumstances. I have known James Hughes for many years. He was a huge man in stature. He was also a very gentle human being. He was a very spiritual man, who had a good word for everyone. I know that Alex Maskey knows the family very well. I send our deepest sympathy to his family for what has happened and ask the Chamber to stand with us in sending our deepest respect and sympathy for the loss of a loved one.

Ms Bradshaw: I want to place on record the deep sadness of the Alliance Party at the news of the murder of Mr Hughes last night. We

condemn the murder in the strongest terms and commend the PSNI for its swift action in bringing forward its investigation. We encourage any witnesses to cooperate with the police in any way they can to bring forward information. Justice has to be done for the victim and his friends and family, who have our sympathy.

I also want to place on record our complete revulsion at the paramilitary-style attack on a young man in west Belfast last night. I pay tribute to the health service, which is caring for him, and reiterate our call for the complete and absolute end to all paramilitary activity.

Mr Allen: I thank the Member for West Belfast for bringing this very important matter to the House. It is with disappointment that, once again, we in the House are discussing evil and bad matters in Northern Ireland and not the good that Northern Ireland has to offer.

My sympathies are with the family of the man who has lost his life, and I urge anyone with any information about the shootings and violent incidents in west Belfast or, indeed, throughout Northern Ireland to bring that forward in an attempt to help us remove these individuals from our streets. As a society, we must do much more than just condemn these incidents. We must work together and show solidarity with the victims. No matter what they are alleged to have done or what they were involved in, it does not give anybody an excuse to take the law into their own hands. They must be removed from society and taken off our streets.

Mr Carroll: I offer my absolute condemnation of the shooting in the Springfield area of west Belfast last night. We are not sure why it happened, and the usual rumours are swilling around. I want to point out that I find it incredibly ironic that groups that are critical of repression, often rightly so, are willing to engage in a so-called punishment system that even the most hard-right of governments would blush at. It is a system based on punishment without trial or jury. It is wrong, unjust and needs to stop. More than that, it has to be said that punishment shootings and killings do not work. They have nothing to do with ending crime, improving communities or lifting them out of the misery and isolation they often find themselves in. Instead, they have everything to do with the control of communities and with who is top dog and gets to control whatever spoils are to be made.

It starts with the shooting of someone who is alleged to be drug dealing or engaged in antisocial behaviour. Some people will turn a

blind eye and might say that he or she deserved it. What happens when you get involved in an argument with one of those paramilitaries or fall foul of them for some asinine reason? You too will find yourself before that punishment system with no trial, no jury and no right of appeal. It happens to people and ruins people's lives, and that is why we cannot give an inch to it.

There is no place for guns on the streets of west Belfast, or anywhere else for that matter, be they in the hands of paramilitaries or those in the payment of the state. People Before Profit is very clear on that. We are for the disbandment of paramilitaries and of the war machine of the secret state that, itself, has been so implicated in paramilitarism, up to its neck in murder and collusion and the deaths of hundreds of people without trial or appeal and that has never been called to account for its actions or decommissioned. As far as People Before Profit is concerned, the condemnation of paramilitarism heard in the Chamber today rings hollow unless Members will also condemn the continuing existence of state paramilitaries and bring to justice those who propped up paramilitaries on both sides during the conflict while being in the payment of the state. If we are serious about not going back to the bad old days, we need to deal with both.

Mr Speaker: That concludes that item of business. I ask Members to take their ease while we change the top Table.

(Mr Deputy Speaker [Mr Kennedy] in the Chair)

Private Members' Business

Addressing the Past

Debate resumed on amendment No 1 to motion:

That this Assembly believes in a victim-centred approach to addressing the past and that victims and survivors should have a meaningful input to the content and design of legacy proposals; further believes that justice, truth and accountability, acknowledgement and support for victims and survivors are essential elements in a comprehensive approach to the past; notes the comments by the Secretary of State for Northern Ireland on a public phase on legacy proposals; and calls on the British and Irish Governments for an urgent, renewed effort to conclude legacy issues, including the further development of the proposed roles and powers of the Oral History Archive, Historical Investigations Unit, Independent Commission on Information Retrieval and the Implementation and Reconciliation Group and rejects any attempts by the state, state agencies, illegal groups and others to evade justice, suppress the truth of and resist accountability for the past. — [Mr Attwood.]

Which amendment was:

Leave out all after the first "proposals;" and insert

"further believes that all parties should work towards an early resolution of these matters; and welcomes the Government's proposals to consult on a way forward." — [Mr Frew.]

Mr Kelly: I beg to move amendment No 2:

Insert after "issues"

"prior to any public consultation".

I thank the Members who brought forward this motion on addressing the past. It is very timely. Indeed, a number of Members and parties have brought forward motions on legacy issues, which we will deal with today and tomorrow.

For more than a decade, Sinn Féin has consistently proposed the creation of an independent international truth commission. That was outlined during the 2009 Eames/Bradley consultation process. We have argued that such a process must be

independent of the state, independent of combatant forces and independent of political parties. We reject all attempts to create and sustain a hierarchy of victims, and all processes should be victim-centred and deal with all victims of the conflict on the basis of equality. Although we continue to believe that an independent international truth recovery process offers the best way forward, we have signalled our intent to progress the issue of legacy by agreeing to proposals outlined in the Stormont House Agreement of 2014.

The Stormont House Agreement articulated a victim-centred approach — indeed, I think that all parties articulated that — to addressing the past, promising victims and families meaningful input. That has ramifications for a number of issues. Disclosure is essential, by way of family reports and meaningful consultation by the Historical Investigations Unit (HIU) with families of victims during the investigative process. When staffing the Historical Investigations Unit, it needs to be ensured that its investigative teams fully meet article 2 compliance under the European Convention on Human Rights (ECHR). There need to be comprehensive family reports for those families from the Independent Commission on Information Retrieval (ICIR). I point out the lack of any appeal mechanism for those reports in the draft legislation that was produced.

There needs to be access to competent legal representatives for the families. If there are any closed material procedures, which are basically secret courts, those representatives must have passed the requisite vetting procedures, but, more importantly, the families must have confidence in the individuals who would represent their interests in any closed material procedure. Access to legal aid should be on a statutory basis, and there needs to be total clarity around any proposed appeals mechanism and its underpinning principles and criteria.

The Stormont House Agreement achieved consensus on the broad architecture of a suite of options, including justice; information recovery; enhancement of the coronial courts; storytelling; and provision of high-quality services for victims and families. All such options need to be addressed, and the mechanisms established, enhanced and adequately resourced. Without the resource, we can go nowhere.

It is clear from what I am saying that Sinn Féin welcomes the SDLP motion and Alex Attwood saying that he will accept our amendment. The British Secretary of State has outlined plans for

a public consultation on addressing the past, and we have highlighted the need for a serious attempt by the British Government to resolve key outstanding issues prior to any public consultation. To date, we have not experienced any serious attempt by the British Government to do so.

So, our purpose in putting as our amendment the short addition of "prior to public consultation" after "issues" in line 7 is to make that point.

For this reason, I hope that those who will vote for the motion — the SDLP and others — will support the Sinn Féin amendment. We have been given indications that the SDLP at least will do that.

4.15 pm

Logically then, we ask that the DUP amendment be rejected, as the intent is, at best, watering down the proposal and inviting publication of a flawed document, which will further demoralise the long-suffering families waiting for the structures that can bring them truth. Paul Frew said that there was a lot of disagreement between families, even within families, and different groups that are involved. I agree with that. Where I am inclined to disagree with him is that he let me point out that truth is the one thing. He has spoken to as many families as I and others in this Chamber have, and truth is the one thing that is consistent. It is the one thing that they demand and the one thing that everyone wants. The purpose of setting up the structures that we are talking about here is to get at that truth. I agree with him: once you get the truth, it does not necessarily mean that you will have reconciliation or even that you will have justice. But it is the one thing that every victim and survivor that I have ever spoken to has asked for.

Mr Frew: I thank the Member for giving way on this very sensitive and important issue. Does the Member also recognise that many victims and survivors know the truth, some way, somehow, yet they seek justice and cannot get justice at present?

Mr Kelly: Yes, I understand that. I agree with him on the point that, no matter who you talk to and, as I said, even within some families, people want different things out of this process. The idea of the architecture of the Stormont House Agreement was to set up a number of possibilities so that all those issues could be dealt with, from justice through to the ICIR, oral

history and the other aspects of those structures. The purpose of doing that is that we can try to deal with all the issues. It may be an impossible task, and all the parties agreed at least to the structures being set up. Now we are facing a blockage, mostly, or maybe entirely, from the British Government, to attempts to get those structures set up, and that is what we want to do. So, I support the Sinn Féin amendment to the SDLP motion.

Mr Nesbitt: I support the motion, with some reservations with regard to definition of language, which I would like to work through. We all talk about a victim-centred approach, and that is fine, but, as a victims' commissioner some years ago, amongst the many sad stories that I heard was one, which I will not rehearse in full again in this House because I have previously, of the widow who had lost her husband over 30 years previously. For that time, she had held on to the one crumb of comfort that, while he was shot at point-blank range, he was dead before he hit the ground. That was her crumb of comfort for over 30 years until the Historical Enquiries Team reviewed the file and informed her that he lay bleeding to death, screaming her name, for 20 minutes before he passed away. So, although we can be victim-centred, we must realise that there are unintended consequences for individuals, and we must have the support mechanisms in place for individuals who receive such unwelcome and unexpected bad news.

The motion talks about giving a "meaningful input" to victims and survivors, and we now have that architecture in place with the commission and the service and particularly with the victims' forum, consulted by the Victims' Commissioner, but there is a question here. The 2006 Victims and Survivors Order gives a principal aim to the commissioner to:

"promote the interests of victims and survivors".

The question is this: does that mean that you simply listen to victims and survivors and then try to deliver what they are asking for, or do you analyse what they are asking for and perhaps make the difficult decision of saying, "What is in your best interests is not necessarily what you think you want"?

The Secretary of State is considering some form of public consultation. We await, somewhat intrigued, to see how he intends to progress that. We think that it should come first, and, therefore, we will not be supporting the Sinn Féin amendment. There is, perhaps, a

case of, "Be careful what you wish for" here because, if he consults publicly and very widely, I think that we all recognise that there is a generational issue in that there are many young people for whom the Troubles is not a lived experience. Their attitude to dealing with the past may be significantly different to that of the majority of Members of this House. What we do expect of the Secretary of State in bringing forward any proposals is that they are, as he has said, "fair, balanced, impartial and" above all "proportionate".

I hear again in this debate that we do not want a hierarchy of victims, and the Ulster Unionist Party subscribes to that: no hierarchy of victims. The danger is that we have some sort of hierarchy of investigations. At the moment, many who were waiting in line for the Historical Enquiries Team (HET) now have nothing, while others have recourse to other bodies and processes up to and including public inquiries.

The motion talks of justice, truth, accountability and acknowledgement. I have no particular difficulty with that, but I note that it is a variation of the needs assessment of the Victims' Commission, which talked about a three-pronged approach: truth, justice and acknowledgement. It seems to me that if we, as politicians, put a focus on acknowledgement, we could indeed perhaps start to shift this problem.

We would like further development of the proposed roles and powers of the new bodies agreed at Stormont House and, perhaps, to some extent, later in Fresh Start. Finally, there is this idea that we will reject any attempt to evade justice or suppress the truth. We agree with that, but we take that language to mean that the SDLP wishes to reject the use of public interest as an excuse not to tell the truth. If that is the meaning of what it is proposing in the motion, we are more than happy to support that. In conclusion, we will support the motion but not any of the amendments.

Mr Lyttle: I welcome the opportunity to speak on the motion. I think that it is a constructive and timely motion. The search for a comprehensive framework on addressing the past remains, and I think that the key aspects of the motion are worthy. We do need a victim-centred approach. We do need a comprehensive approach. It is urgent, and we do need to conclude legacy issues on the frameworks that have been put in place for some years around the Historical Investigations Unit, the Independent Commission on Information Retrieval and the Implementation and Reconciliation Group and around a search

for improved services and storytelling and oral archiving experiences. We in the Alliance Party, of course, firmly reject any attempt to evade justice as well, so we are content to support the motion and, indeed, the amendment that seeks a conclusion on these issues prior to public consultation.

However, we will not be supporting the DUP amendment, which, I have to say, adds no value whatsoever to the motion or to the debate today. In putting forward the DUP amendment, Mr Frew asked whether the Alliance Party supports the Fresh Start Agreement on dealing with the past. The Fresh Start Agreement, which was signed as long ago as November 2015, says nothing on dealing with the past other than that the parties were not able to reach agreement on the establishment of new bodies to deal with the past and to support the provisions of the Stormont House Agreement and to reflect on how we can move forward to achieve legislation to that regard. The Stormont House Agreement is now two years old, and the then Alliance leader, David Ford, rightly dismissed that as a false start, not a fresh start, for victims and survivors.

Indeed, I am starting to wonder whether we have got to the point where the DUP thinks that, if it just keeps staying "fresh start" for long enough, the community and the parties in the Assembly will believe that it is actually a fresh start despite a lack of substance in much of that agreement, especially on such a sensitive and complex issue.

Many in our society and internationally have spent days, weeks and years dedicated to finding a comprehensive framework for dealing with the past. Healing Through Remembering, Eames/Bradley, Amnesty International, the Haass process and the Stormont House Agreement have all been driven by the courageous perseverance of many victims and survivors across our community, in particular the Victims Forum. It was an inspiration to meet the Victims Forum during the Haass process. Despite their fundamental differences and the extremely challenging experiences and trauma that members of that forum had been through, they were able to make constructive proposals on which a lot of the frameworks are now based. They convinced me that it would be morally wrong for the Executive, the Governments and the Assembly not to deliver on that comprehensive framework.

I know that there are some in our society who say that we should now draw a line under the past. I can understand where they are coming from to a certain extent, but I challenge anyone

to meet the inspirational victims and survivors in our community and not conclude that, as the motion states, we have to urgently redouble our efforts to implement that comprehensive framework. It is also vital for wider peace and progress in Northern Ireland. I believe that there would be fundamental social and economic consequences for everyone were we not to put the framework in place. The Alliance Party has consistently supported and worked for a comprehensive framework based on improved access to justice, information services for victims and survivors and wider reconciliation.

I proposed a motion on a comprehensive framework five years ago, in October 2011. I worked tirelessly with many people in the Chamber and across our community on the Haass talks process. It brought forward substantive proposals. We do not have time today to go into those in detail, but it is clear that Executive Ministers and the UK and Irish Governments have a moral obligation to dispense with the delay and to deliver on the proposals. It is urgent for victims and survivors, but it is also urgent for our society and every member of it.

Mrs Cameron: There is no doubt that Northern Ireland has come a long way in its recent history. We can all relate to the horror stories of atrocities happening on our doorsteps. I, for one, am grateful that my children's generation and beyond do not have to directly experience what we did. That said, a vast number of people in our society directly experienced horrific violence and continue to live with the consequences on a daily basis. Whilst we have moved on significantly, issues surrounding our past continue to overshadow many of the positive steps that we have taken and hold Northern Ireland back from truly moving on. Having made significant progress on a number of issues in the Stormont House Agreement, talks faltered again when trying to address legacy issues and how they should be dealt with. The Fresh Start Agreement of last November again sought to make progress on the matter and recognise that there will be no quick fix in how we address our past.

Moving forward is a huge work in progress and one that all parties must fully engage with. It is ironic that the party proposing the motion has disengaged from government and removed itself from the process of making progress happen. My party's amendment refers to how all parties should work towards an early resolution to these matters. The Opposition's failure to engage in the process will surely further delay any work to take the issue

forward. I urge them to reconsider their position if they are truly committed to dealing with the past and moving forward.

Dealing with the past is hugely emotive. The suffering of victims and their families is not something that can be quantified or measured. It cannot be switched on and off, and it is intensely personal. In dealing with the past, those who have been directly affected should be front and centre of any decisions and outcomes. It is vital that we move on but equally important that we address our past. I use a well-worn quote by the philosopher George Santayana:

"Those who cannot remember the past are condemned to repeat it."

We never, ever want to return to the dark days of Northern Ireland's past.

4.30 pm

I support my party leader's position that we must never use any investigation to attempt to rewrite the past. It cannot be forgotten that 90% of deaths during the Troubles were terrorist-related. I am not suggesting that the other 10% of deaths caused any less hurt or distress to the families involved, but I am keen to put it on record that any inquiry or inquest should not be used as a platform to romanticise terrorism or denigrate and demonise our security services, who put their lives at risk on a daily basis to protect us.

As I have already touched on, grief and suffering are intensely personal matters, and there will be no one-size-fits-all solution to dealing with the past. In moving forward, it is imperative that we listen to what victims and survivors want and need. Any inquest or inquiry should not be an exercise in lining the pockets of solicitors and barristers; it should be a mechanism by which those affected can gain the appropriate support and clarity to assist them in moving forward.

The past is something that cannot be ignored and will continue to be a spectre at the table of Northern Ireland's future until it is properly and appropriately dealt with. I am aware that our new Secretary of State has engaged with victims and survivors. In his own words, he found that to be:

"a profoundly moving and affecting experience."

I hope that that will be at the front of his mind and that he will fully engage in assisting the Assembly to quickly progress the issue through government and provide the financial support required to take it forward. There is a tangible desire to address the past, and that momentum should be encouraged to reach a long-awaited conclusion. I support the amendment.

Ms J McCann: Like my party colleague said, I think that our amendment adds something to the motion, so we will support the motion but oppose the amendment from the DUP.

As people have already said, victims of the conflict have a right to the truth about the past. We, as a party, have consistently said that we do not have any desire to score points on the issue, particularly in debates like today's. I am glad that it has been quite measured; some of the debates we have had on the subject have not been. It is very important that, no matter what we send out from the House, we say that we want a process that delivers for families. It is not about point-scoring or making party political points.

In order to advance reconciliation, it is important to address the hurt and division that has taken place to ensure that the conditions that created the conflict in the first place will not be repeated. We must all recognise that it is very important to the many people who have lost loved ones that they are able to pursue truth, justice and information recovery. The Member for Strangford is not here, but he mentioned young people looking in at the debate. In the cases of the people I know who still seek truth and justice about what happened to their loved ones, actually their grandchildren are the ones who have the passion and are behind the campaigns. Very clearly, there is a need for us to come to some conclusion on this and deal with it, because it will go down generations; people are not going to just forget about it.

Mr Lyttle: Will the Member give way?

Ms J McCann: Let me finish first, and I will see how far I get.

There is a need for the establishment of a comprehensive process that seeks to investigate the nature, the causes and the consequences of our recent conflict, and there are many families across society, in all of our communities, that suffered immense loss and harm. There are also many competing narratives and views and experiences of that conflict, and, on the reconciliation journey, all identities and cultures need to be given equal

respect. We have said time and time again that we will promote and defend the rights of all victims and not support a process that allows discrimination and a hierarchy of victims to be introduced.

We are almost a year on from the Fresh Start Agreement, and there has still been no meaningful engagement from the British Government in serious negotiations around the impasse on their national security veto and other outstanding issues. We fully appreciate the hurt and frustration felt by victims and survivors at the end of the recent phase of negotiations. Again, it did not produce the outcome that they deserve and need.

In the past, national security has been used in a blanket fashion to prevent families from maximum information disclosure, and, as such, it was and continues to be unacceptable to many victims' families and campaign groups. In our negotiations, we put forward a number of options to try to get through the impasse, including an appeals mechanism, which my colleague, the proposer of the amendment, has just described, but they were not accepted. Since the end of the negotiations, we have engaged with officials from both the Irish and British Governments on occasions too numerous for me to remember. We are still trying to resolve outstanding issues.

The mechanisms of the HIU, the ICIR, the IRG and the Oral History Archive, which were agreed in the 2014 Stormont House talks, would see a number of processes being made available to families. As my colleague said, we had consistently called for an international independent truth recovery process. It is a compromise for people, but it is more than that. These are mechanisms so that families can get some sort of closure. During the Stormont House talks, those were the mechanisms that, from the suite of options available, we felt would help families to have a choice as to which road they want to take. They would give families access to justice; information recovery; enhancement of the Coroners' Courts; storytelling and archiving their experiences; and the provision of high-quality services, which cannot be missed either.

Am I near the end of my time?

Mr Deputy Speaker (Mr Kennedy): The Member's time is nearly up, yes.

Ms J McCann: Just to conclude, I think that there is an emphasis and an onus on us, which is why our amendment was tabled. Before we

go to public consultation, we need to agree the mechanisms. We cannot let people down again. We cannot raise people's hopes and go out there again for something that is unacceptable to families.

Mr Deputy Speaker (Mr Kennedy): The Member's time is up.

Mr Beattie: I thank Mr Attwood for proposing the motion. It is an important motion. It is one of the core issues. If we do not deal with our past, we will never produce a better future for our society. We really need to deal with it.

Interestingly, I listened to the news today, and it was full of talk about parking fines. Important as that issue is, there was nothing about this debate. I wonder whether our media and society in general are slightly bored of the talking shop that we sometimes turn into, and what they really want is action. I get a sense from the motion and from listening to everybody here that there really is a will for action.

When I read the motion, I was struck by the first sentence, which contained the phrase "victim-centred". I have been thinking about the word "victim". I wonder whether the whole of Northern Ireland is a victim. Are we all victims? Is everybody in the Chamber a victim? Are we all held by our past? In some ways, I think that we are. I remember, as a 10-year-old in 1975 — I know that people think that I do not look old enough — that knock on the door and my mother crying as she was told that her brother had just been murdered by the IRA or by somebody else under that flag of convenience. But he was murdered. Am I a victim? I do not feel like one and do not think that I am one, but people in my position may well feel that they are victims, and they are right to feel that way. Everybody will take it slightly differently, as I do, but my family in general feel like they are victims.

The definition of a victim in the Victims and Survivors Order 2006 is quite broad and takes in many thousands of people who are victims. That is only the tip of the iceberg, because there are many thousands more. Everybody must be really mindful about what they say so that we do not create more victims. Victims are presenting with mental health issues 10, 20 and 30 years after an incident. The number of victims in Northern Ireland is increasing rather than decreasing. I listened to the Kieran Conway interview on 'HARDtalk'. I have to say that it was so ill-advised that that man will have created victims. People will have listened to what he said, and he will have created victims. That is why I say that we all have to be

extremely mindful of the words that we choose. I need to be extremely mindful of that as well.

What does a victim want? I look at the three main categories of victim. Of course, I am putting people into blocks, and every victim is different. The first group wants justice, and there should be no barrier to that justice — absolutely none. It does not matter that you were a member of the state forces and broke the law; you should be held to account. If you were a terrorist or a paramilitary, you should be held to account. There should be no block to justice for the victims who want it. It must be fair, proportionate and balanced. What is the difference between the murder of Pat Finucane and the murder of my Uncle Samuel? Absolutely nothing. They were two heinous, horrendous crimes. There is no difference whatsoever, and that is important to remember. There should be no hierarchy of victims. Let us not politicise victims to make a hierarchy.

The second group of people just want to know what happened to loved ones in their last moments. They want to know, and they want acknowledgement that somebody did something wrong at a particular time. That is important.

The third group of people are those who just want to move on with life. We have to give them the ability to move on if that is what they want and if we are really to be victim-centred.

As far as the amendments are concerned, I will be honest. I am really sorry, but I cannot support the DUP amendment because it is, in truth, a little bit wishy-washy. I cannot support the Sinn Féin amendment because public consultation is important. Loyalist and nationalist groups need to be part of this. Communities in Ballymurphy, Shankill, Kingsmill, Bogside and Enniskillen are all victims and must be part of it, so we need that consultation. I support the motion.

Mr Eastwood: It is unfortunate that we have to come back to these issues and air them so many times when the people who matter most, the victims and survivors, have not got any real resolution to them. I am encouraged by Mr Beattie's words: it is good to hear that people will support the idea that there will be no hierarchy of victims. No matter who pulled the trigger, we have victims right across our community, and that has to be at the heart of how we approach the issue.

This is the biggest unresolved issue from our peace process. It is very unfortunate, and it is a real stain on our political and peace process

that we still have not resolved it. How much longer do we need to leave the victims outside the room? How many more family members do we need to watch go to their grave without fulfilling the promise that we would seek truth and justice for their loved one? All of us in the Chamber work with victims every week, and all of us understand the pain that victims and survivors are going through. All of us, I think, are coming at this from the right place. However, none of us should feel OK about the fact that we still have not resolved the hugely important and difficult issues that it is absolutely necessary to resolve.

We have been from the Good Friday Agreement to Eames/Bradley right through to last autumn's Fresh Start proposals, and, every single time, we have given the victims some level of comfort or confidence that we were going to resolve their issues. We all know now that they are absolutely sick of being re-traumatised and, year after year, being put through the same public airing without any real solution. This has to be the phase where we move to the endgame.

I am happy to hear from the Secretary of State that we are moving into a public phase, and I want that to happen sooner rather than later.

But we cannot come up to this issue again saying we are going to resolve it and then not resolve it. We cannot leave the victims at the top of the hill any more times.

4.45 pm

It is important to say this: many people of my generation, and of most generations, say to me, "Why don't you just move on? Why don't you stop talking about the past? Why don't you just draw a line in the sand and forget about it? We all want to move on". That is a very understandable point of view, but I think they are wrong. We have all done all right out of this peace process. We are all in this Assembly; we are all moving on. But all of us, especially us, those who are elected to represent our society, owe the biggest debt to those who have been left behind by our peace process. We owe the biggest debt to those who suffered most, particularly those who were not involved at all. We have a responsibility to ensure that no longer do we have to come to this Chamber to debate these issues, to re-traumatise people, but that we actually solve the problem, that we give them a route to the truth, justice, information or whatever it is that those individuals seek and deserve.

It has to be noted as well — sometimes it is forgotten — that we have a fragile peace here. Nothing is certain. Anybody with access to a history book understands that. If we continue to try to bury this issue, it will pop up in a way that we cannot control. In Ireland, the past has a terrible way of creating a dangerous future, so all of us have a responsibility to resolve that.

The British Government have gone quiet. I have had some great meetings with James Brokenshire. He has gone quiet in the last number of weeks and months. He has a responsibility to bring us to a resolution on all these issues. Disclosure is a major sticking point in this, but disclosure goes both ways. Everybody, whether they were state or non-state actors, has a responsibility to come forward with truth and information to allow all our victims, no matter who they are, to get some respite after all this.

Mr E McCann: I want, first, to make a specific point, and I make it on behalf of the WAVE Trauma Centre and Alan McBride, who was, of course, bereaved in the Shankill bombing. I would like the Executive to answer — not here but somewhere — why there has been no provision for people who suffered injuries in the conflict to the extent that they have been unable to work and, therefore, unable to build up an occupational pension. Some of them, now in their late 50s and in their 60s, find that because of that, they have to rely on basic benefits. Why should that be? This is a relatively small matter with a relatively small amount of money. Why has it not been addressed, despite the fact that Alan McBride and many others have been pleading for years to have something done about it?

That having been said, I want to move on to the broader question about a victim-centred approach to the past. You cannot have a victim-centred approach unless the victims get the truth. In my estimation looking forward, and I do not do much gambling these days, the odds of the victims of the conflict in the North getting the truth is as close to zero as makes no difference. Does anybody seriously believe that the British Government at this stage of events are going to tell the truth about the behaviour of their secret forces in colluding with murder over 40 years? Does anybody seriously think that they are going to tell the truth about that? They are not. This business of national security — it goes beyond that. They have never told the truth about their involvement in murder throughout their period of empire and the rest of it. They are not going to do it now.

I heard a suggestion made a few minutes ago that the new Secretary of State, Mr Brokenshire, has a positive approach to this sort of thing. No he does not. I sat with the relatives of the Ballymurphy massacre, as did others, just across the way a couple of weeks back with Mr Brokenshire. Not a flicker of concern showed on his face throughout a meeting that lasted more than an hour. Not a word that he said gave any comfort to the people who were looking for the truth about why their loved ones were killed, shot down by members of the Parachute Regiment in August 1971. Mr Brokenshire is not a friend of the victims. As far as I am concerned, he is a despicable individual who could not care less about the people of the North of Ireland, including the victims of Northern Ireland. And why should he? Why should he? The British Government could not care less about their own people across the water who died in the conflict.

Mr Deputy Speaker (Mr Kennedy): Order. I ask the Member to resume his seat.

I know that the Member is relatively new to the House, but there are terms that are not acceptable when describing individuals. I caution the Member about his use of language, particularly the reference that he made to the Secretary of State.

Mr E McCann: If it is out of order to refer to Mr James Brokenshire as a "despicable individual", I will withdraw it, if that is your ruling, Mr Deputy Speaker. You can stop me saying it, but, I will tell you this, you cannot stop me thinking it and you cannot stop hundreds of thousands of other people in this society thinking it.

I mentioned a moment ago, just before you spoke, Mr Deputy Speaker, that the British Government do not care about victims across there. I have had occasion in the recent past to speak to victims of the Birmingham bomb. People were out for a night in Birmingham city centre in November 1974 and were blown to bits. For example, Maxine Hambleton, 18 years old, went into a pub to deliver a message and was blown to smithereens. She was a girl, a young woman who harboured no hatred towards anybody on this island and who had no involvement of any kind in the events that we are discussing here. She was blown to bits. What succour has her family got from the British Government? They have been lied to. I have spoken to them. Lied to by the cops — the West Midlands Police. Lied to by the courts and by judges. Lied to by the Home Office. Lied to by the press. The truth has been kept from them. I mentioned Maxine Hambleton,

and I hope that her sister Julie will be in Derry in the last weekend in January to speak to the Bloody Sunday relatives about the fact that they have in common that they have been lied to and despicably treated by the Government. The British Government will not tell the truth about their role here.

We have the Oral History Archive, the Historical Investigations Unit, the Independent Commission on Information Retrieval and the Implementation and Reconciliation Group — this alphabet soup of agencies and units. I do not know what these things mean, and I have got a bit of an interest in this.

Mr Lyttle: I thank the Member for giving way. Far be it for me to stop you in your flow, but a lot of the proposals were put forward by victims and survivors, many of whom form the Victims Forum and have courageously worked to make some of the proposals. Does he accept that some people feel that some of those groups may improve access to justice and information and that they merit some consideration?

Mr Deputy Speaker (Mr Kennedy): The Member has an extra minute.

Mr E McCann: I think that they are all good, every one of them. I am positive about every one of them. What I am saying is that they all depend on the truth being told by the perpetrators and by the political representatives of the perpetrators. There is no sign whatsoever of that happening.

I agree with the Member who said that perhaps we are all victims. I sometimes think that half this country is in bits as a result of the conflict and the other half does not care. That is the situation, and it goes down to maybe eight-, nine- and 10-year-olds. They are affected by it because their parents were affected by it, and you do not need to have lost a member of your immediate family to be traumatised by it. Loads of people are. Hundreds of thousands of people are. They are not being treated fairly. There is no sign that they will be treated fairly either by the Government or by the leaders of paramilitary organisations. Victims are being treated despicably. The best thing that they can do is stay on the streets, stay fighting and put pressure on from below on Governments, paramilitary leaders and the rest. That is the only thing that will work.

Mr Allister: With the victim-makers at the top and heart of government in Northern Ireland, anyone who thinks that their innocent victims are going to get a fair deal is deluded, just as

they will take no comfort from the platitudes of a bomber and of a killer who have spoken in the Chamber today. Right at the heart of this injustice for innocent victims is the pernicious definition of "victim" that rules in this land, that which obscenely equates perpetrator and victim-maker with those whom they make victims.

So long as that is the definition in the law of the land, there will be no fairness, no justice, for innocent victims. Frankly, it is only innocent victims I care about. I have no brief for the victim-makers or for those who inflicted on themselves their injury: they got their just deserts. I do care, however, about their innocent victims, and unless and until we bring justice to the definition of a victim, which this motion and amendments do not even mention, we will go round in circles and deliver nothing for innocent victims.

Yes, many pay lip service to the need to change the definition of a victim and to right that great wrong, but it is lip service. Take the DUP. It has had multiple opportunities — at St Andrews, at Hillsborough, at Stormont House, in the Fresh Start talks — to make the definition of a victim a red-line issue, but never once did it do so. Lip service was easy; doing something that might threaten their love and lust for power was far too hard an ask. So, we are in this vicious circle. Innocent victims continue to suffer the injustice of the definition that attends them.

Under these proposals, that will be compounded through a body with a grand-sounding name, the Independent Commission on Information Retrieval. That is an odious suggestion. The rules that govern it will set the scene for a rewrite of the history of the Troubles. They proffer the victim-makers the opportunity to give, in secret and anonymously, their selective account of who they murdered and why they murdered them, and they can justify it. None of what they say needs to be corroborated; none of it can be tested; none of it can be used against them. Indeed, the very victims they made cannot be told who said what about their relative and why they were killed. What a perfect setting for the rewriting of history.

That will then be tapped into by a further body, the Implementation and Reconciliation Group, which, at the end of the process, will take up the themes — you can guarantee that alleged collusion will be one of them — that they have been fed from this rewriting of history. Then innocent victims are supposed to applaud and

think that they have been granted something wonderful. They have —

Mr Deputy Speaker (Mr Kennedy): I ask the Member to bring his remarks to conclusion.

Mr Allister: — been granted something wholly negative, not positive, and will continue to be, unless and until the issue of definition is addressed.

Mr Poots: I welcome the opportunity to speak on this issue. I have a lot in common with what Mr Allister has just said. Where does the truth lie in these matters? The fact is that the IRA was responsible for over half the murders during the Troubles. When it comes to truth recovery, will there be books, turned over by the IRA, telling us who did what and why, why particular people were targeted and who gave the instructions? Of course, everybody knows the answer to that question. The answer is that no books will be turned over in aid of truth recovery, but there will be an obsession, a drive and a push to recover all the information that is available on the side of the security services. There will be none of it on the side of paramilitaries; so, 90% of the victims out there who we are talking about will not get any truth but we will have a rigorous pursuit of the security services on behalf of the 10%. I have to tell you, folks, "That ain't possible and it ain't going to happen". It is not a fair and equitable way with which to deal with it.

5.00 pm

Mr Eastwood was one of the people who brought forward the motion. I regret that he is out of his seat at this moment. Mr Eastwood carried the coffin of an INLA man. I find that particularly offensive. One day, as a boy, I came home from school to discover my mother in a particularly distressed state. She was in a particularly distressed state because my dad, who was a DUP councillor, came out of the Belfast market and was shot at by the INLA and she did not know what the circumstances were when I came home. Fortunately, while the vehicle was hit, he was not. I have no truck with, or succour for, those who support the INLA in any way, shape or form, whether that be by carrying a coffin or anything else. I will not find out the absolute truth of what happened that day; who ordered it and who pulled the trigger, but I did happen to find out materials and issues relating to it. Unfortunately, we do not have an evidential base to go through with, but I believe that the person who carried out that action is now dead. He was a Mr O'Reilly

who was shot in Drogheda in an INLA feud along with another member of the INLA.

When we talk about victims, we want real truth for victims. When Sinn Féin can step up to the plate and tell us that it will be honest, unequivocal, open and truthful and not obey the code — this famous code that those former members of the IRA have to abide by — we can make real progress. I do not believe —

Lord Morrow: Will the Member give way?

Mr Poots: Yes, certainly.

Lord Morrow: I think that the Member comes very close to the real issue here. There are too many — and I suspect that there are more on the other side of the House than on this side — who seem to think that everybody who lost their life was a victim. Some were victims of their own despicable behaviour. I challenge the SDLP to tell us today whether it is saying to us that everybody who died in the Troubles is a victim despite the fact that they were taken out by their own gun.

Mr Deputy Speaker (Mr Kennedy): The Member has an additional minute.

Mr Poots: Thank you for that.

The key point here is that unless the people on the paramilitary side come forward and tell the truth, the recovery system will not be an all-encompassing and equal system.

The other side of the House is constantly talking about equality. Are we going to get that equality? Will the paramilitaries speak up and tell the truth? They have never told the truth in the past. That is just the case. Mr Adams will not even admit that he was a member of the IRA, yet we are expected to believe that they will tell us the truth. If you want to give us the truth, let us see it kicking off. Let us see how it will happen. Let us see it commence.

All that I can see is a means of going after the security services and their role in the Troubles and, by doing so, paint and project them as the bad boys, the black boys and the people who were doing wrong — when, in actual fact, they stood in the way of anarchy in this place — and, as a result of painting them in that way, rewrite history and say, "Do you know what? Republicans had to step up to the plate and defend our community against these bad and evil people". That is not going to happen. I know that that is the motive of individuals inside and outside the Chamber, but it is not going to

happen. We will resist that at every opportunity. We will resist the blackening of the security services. They were the people who stood between us and anarchy and who stood in defence of the people of Northern Ireland and beyond. I am eternally grateful for everything they did to ensure that people like us have the opportunity to speak in a democratic forum here today.

Mr McCartney: In the main, it was a fairly even-tempered debate; there was even a moderate approach to the issue. I think that most Members who spoke addressed the core issue. However, it was unfortunate that, near the end, after Jim Allister spooked the horses, we had a return to the rhetoric of the past, which served no purpose in trying to address something that is very difficult. It is an issue that has focused the minds of most of us on trying to come up with a resolution to deal with what people broadly call the legacy of the past.

We welcome the fact that Alex Attwood accepted our amendment in the spirit in which it was made, which was to try to strengthen the motion. It is a fairly reflective motion; I think that most Members accept that it is well grounded and well intended. I regret that Mike Nesbitt and Doug Beattie do not get the reasons why we put in the amendment. It was not in any way to try to postpone anything; we are trying to ensure that, after the British Government fulfil their responsibilities, there should be consultation, not the other way round.

Paul Frew proposed the DUP amendment. I think that he accepted that there was nothing in the SDLP motion that he disagreed with, although he certainly had issues and reservations. My appeal is that we should not allow the House to divide on minor issues that have been outlined today. We should all be focused on trying to address the issues on behalf of what people call victims and survivors. Unfortunately, near the end, we heard the politics of division, which is not in the best interests of victims, no matter how people want to define them. Interestingly, in one part of today's proceedings, Members talked about no one being beyond the law, but other Members started to believe that the people whom they represent, whether they are the good guys, the bad guys or however you refer to them, can step outside the law. That is not how we should approach this. The motion is well grounded and well centred in its approach.

Gerry Kelly outlined our position. We have argued, as far back as Eames/Bradley, that perhaps the best way to approach this would

have been an independent international truth commission. However, we have all seen over recent times, particularly with the Stormont House Agreement and the Fresh Start Agreement, that people have different ideas. We all have to come together to provide a framework in which we can face up to the challenges that, undoubtedly, there will be while having the victims foremost in our minds. Paul Frew is right: there is no single voice from or approach taken by all victims or victims' groups. However, I think that all of them would urge us to ensure that we come up with a process from which as many of them as possible get truth and justice. The Fresh Start Agreement and the Stormont House Agreement laid the framework in which that could happen. That is not to say that many victims' groups do not have criticisms, but I think that, in the main, they believe that the framework sent a clear signal that we are going in the right direction. That is the approach that we should take.

Of course, there are principles on which all this will be founded. It has to be independent. There should be no room for partisanship or for it to serve narrow self-interests, including those of the state, armed groups and political parties, and even, as someone said, economic interests. That is how it should be taken forward. It should be victim-centred. People might have different definitions of what that means, but equality should be at its core. Sometimes people hear about the idea of rewriting the past. There can be no rewriting of the past. History is there for us all to examine. We will certainly come at it from different perspectives, but the victims and people seeking truth and justice are entitled to mechanisms that deliver it. None of us should put any obstacles in the way of allowing that to happen. In our opinion, the British Government have tried to do that, and Eamonn McCann outlined some of the issues with regard to the sort of cover-all of British national security interests.

Mr Deputy Speaker (Mr Kennedy): I ask the Member to draw to a conclusion.

Mr McCartney: I urge people not to divide on this issue. Support the motion, support our amendment and do not divide.

Mr Deputy Speaker (Mr Kennedy): I call Mr Sammy Douglas to make his winding-up speech on amendment No 1. Mr Douglas, you have up to five minutes.

Mr Douglas: I thank all Members for their contribution to what has been a relatively

constructive debate today. We are debating issues that are often very personal and very sensitive. While doing that, we should be looking to see how we can put victims and survivors at the very top of our agenda or, as my colleague Pam Cameron said, to the front of how we progress and move forward; it is a thread that has been going right through the debate.

There is a programme on television called 'Pop Goes Northern Ireland'. It shows all the songs from the 70s and 80s etc, but also gives a flavour of just what Northern Ireland and other parts of the UK were like during the bad old days. If anything, it shows just how much we owe the victims when we see the carnage that was created across our streets in Northern Ireland. This debate today is very much about putting right the wrongs of the past. The thread that has been going through this is that we need to make decisions; we need to get this sorted.

Someone from the opposite Benches mentioned that this has been going on for far too long. We have been here so many times before. It reminded me of one of those Proverbs:

"Hope deferred maketh the heart sick."

For many victims and survivors, their hopes have been put on hold, put to the side and deferred in many ways. If anything, the debate today must be about how we address this situation. It has been going on for far too long. We understand the complexities and the sensitivities, but we need to move on. Many people have been saying that we are focused on building a better future for Northern Ireland, but that this must include victims and survivors if we are to make any progress.

Mr Attwood — I think he has left the Chamber — highlighted the importance of victims and survivors in the design of any proposal. I thought that was a good suggestion because we do not want this to be a top-down approach. We want to listen, as Mr Allister said — not just to listen, but to make progress to ensure that we are making the decisions about taking this forward.

Pam Cameron mentioned that we need to make significant progress, as outlined in the Stormont House Agreement. She made a very good point in saying that there is no quick fix. Although it is taking so long, we need to get it done right, but we need to have that sense of urgency as well. The suffering of victims and families cannot be quantified; that was a good

point that was made. They should be front and centre of any consultation and implementation. She picked up that there is a desire in the Assembly to deal with the past and move on.

Eamonn McCann — he is away as well — talked about truth. He was very cynical that any of the victims will actually get truth. He talked about the British Government and said that there is no way that the British Government will come up with the truth. My colleague Paul Frew made reference to the truth coming from the Irish Government as well. There are a number of actors in this but, ultimately, it is getting the truth from many of those angles.

I thank Paul Frew for proposing our amendment. He agreed with a lot of what Alex Attwood had said and made the point that we all know victims and we all know survivors. Just to look at the pain in their eyes, we do not understand how many of those people have suffered and continue to suffer.

He talked about our needing to move Northern Ireland forward. The British and Irish Governments have a very difficult task, but we need to get that agreement.

5.15 pm

Mr McCrossan: I welcome the opportunity to contribute to this all-important debate. Over 3,500 people here were killed and thousands more were injured during those very dark days. Local businesses and livelihoods were destroyed, and sectarian entrenchment deepened to an unprecedented scale, which, in homes and throughout our communities, we are still living with today in the politics of the North. The British state responded heavily and, in many cases, unjustly. Many civilians suffered physically through maiming and disability, while, for many others, the mental flashbacks continue to haunt their very existence. An estimated 200,000 people were impacted in some way by the Troubles, and they are struggling to access basic care and support services. I have seen this at first hand in my constituency and home town of Strabane and throughout West Tyrone.

Needless to say, the Troubles resulted in a terrible loss of life; too many families are still seeking truth and justice for the deaths of their loved ones 18 years after peace has been delivered. In the years following the Good Friday Agreement, we have seen very little agreement on many, many issues. There is little common ground between the Government parties about how and what we commemorate, remember or, perhaps, conveniently forget and,

significantly, who should be called to question, either legally or morally, for the many deaths, injuries and atrocities. We have witnessed inquiries into the grievous crimes committed on Bloody Sunday, and we have had other inquiries and investigations by the Historical Enquiries Team and the Police Ombudsman, along with a number of inquests and civil cases, all leading to limited prosecutions.

There has been a series of political attempts to address the legacy of the past, most recently with the Eames/Bradley talks, right down to the proposals in the Stormont House Agreement. Eames/Bradley was a high-water mark in providing the most coherent and effective way forward in scale, powers and ambition, but, in each subsequent conversation or round of talks, this threshold has been degraded substantially, and we have to ask ourselves why.

While political parties and the British state all say that they are committed to the idea of some sort of truth and reconciliation, none of them really wants their own past to be dredged up: all of them have something to answer for. Sinn Féin hides behind the mantra that the IRA no longer exists, despite the gross atrocities that the IRA caused, while others have questions to answer, none more so than in relation to the Omagh bomb in my constituency. It raises the question of what exactly Sinn Féin is scared of. What skeletons are still left in the cupboard? What about abuse cover-ups? What about Jean McConville? What about the disappeared? The IRA inflicted great pain and suffering across the North and on its own people, yet Sinn Féin is still found wanting in answering the most fundamental questions. These people still need closure on the deaths of their loved ones.

The British Government also have a lot to answer for, as Mr McCann mentioned very passionately: the internment of hundreds of innocent civilians without due process, trial or charges, and the litany of human rights abuses carried out by the British state behind closed doors in places like Castlereagh. We have the so-called hooded men, a shoot-to-kill policy used against innocent civilians, and we have had atrocities such as the Ballymurphy Ten and Bloody Sunday. That is not to mention the dealings of operatives such as Freddie Scappaticci — agent Stakeknife, as he is known — who was an alleged high-ranking British agent in the Provisional IRA who was responsible for an estimated 50 murders.

Against that backdrop, it beggars belief what the past can bring up and what has been

hidden, but there seems to be little appetite for such emanating from Whitehall, nor is there much prospect of implementing —

Mr Frew: Will the Member give way?

Mr McCrossan: I will not; I have a lot to get through.

There is not much prospect of implementing the Stormont House Agreement due to the historical and, perhaps, more recent acts of some political parties and the lack of willingness to unearth the truth. The Stormont House Agreement provides for some £30 million to deal with the past. We all know that that is nowhere near enough to deal with the demand for services. Due to the Troubles, hurt, pain and suffering are embedded in our society, as evidenced by the fact that requests for services go up by almost 30% year on year. As more and more people come forward, there is not the capacity to deal with such demand for justice services, health services or social services — services that, 18 years later, should be in place.

Mr Frew: Will the Member give way?

Mr McCrossan: I will not. We have witnessed stall after stall, and it has become clear that there is little appetite for full, rigorous and comprehensive unearthing of the past among the governing political parties or from Westminster. Some simply have too much to hide, and some have too much to lose.

I turn to Members' individual contributions. From my party, Alex Attwood, in moving the motion, noted the importance of dealing with the past in its many manifestations. He questioned the budget made available through the Fresh Start Agreement, which is insufficient to have any meaningful impact, and he urged support for today's motion calling for the Executive to act as a matter of urgency.

Mr Frew outlined the DUP's position, stating that there needs to be a holistic approach to dealing with the past and that this must be a matter of urgency. I do not think that any of us will disagree with that.

Mike Nesbitt, leader of the Ulster Unionist Party, gave some personal accounts of the issues facing victims and highlighted the importance of having support mechanisms in place for the many people and families impacted by the past. He further stated the need for a three-pronged approach of truth, justice and acknowledgement. I think that we can all agree with that approach.

Lord Morrow: Will the Member give way?

Mr McCrossan: I have a lot to get through. Chris Lyttle, from the Alliance Party, criticised the Fresh Start Agreement and the lack of action flowing from it. He stated that we need to redouble our efforts in tackling the past. He specifically mentioned the important work of stakeholders in pushing the agenda to Stormont.

In a very emotional statement, Doug Beattie gave a personal account of victimhood and mentioned his Uncle Samuel.

The SDLP leader stated that we cannot leave victims behind and said that there is a great need to solve the issues of the past. He said that disclosure is crucial and that everyone involved has responsibility for that.

Mr McCann passionately questioned the integrity of the current Secretary of State and gave a considerable analysis of his view of him.

Mr Allister questioned the actions of a party in the current Government.

Mr Poots, my party leader, Colum Eastwood, and many Sinn Féin Members discussed disclosure. Let me make it very clear that disclosure is not a one-way street: it is not just about the British Government; it is about the many violent organisations that existed also coming forward with the truth. The SDLP has been very consistent in relation to that.

In answer to a point that Mr Poots made about my party leader, let me be very clear that the SDLP has never in its entire existence supported violence. *[Interruption.]*

Mr Deputy Speaker (Mr Kennedy): Order.

Mr McCrossan: We have never supported any violent organisation. To use your former leader's phrase, we have "Never, never, never" supported violence, and we will never support violence. I totally reject Mr Poots's comments.

Finally, the SDLP —

Mr Frew: Will Member give way?

Mr McCrossan: I will not. The SDLP cannot accept amendment No 1, which was tabled by the DUP. However, we see no reason to reject amendment No 2, which was tabled by Sinn Féin. Therefore, I urge support for the motion and for amendment No 2.

Mr Deputy Speaker (Mr Kennedy): That concludes the debate. Before I put the Question on amendment No 1, I remind Members that, if it is made, I will not put the Question on amendment No 2.

Question put, That amendment No 1 be made.

The Assembly divided:

Ayes 34; Noes 59.

AYES

Mr Anderson, Mr M Bradley, Ms P Bradley, Mr K Buchanan, Mr T Buchanan, Ms Bunting, Mrs Cameron, Mr Clarke, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Irwin, Mrs Little Pengelly, Ms Lockhart, Mr Logan, Mr Lyons, Mr McCausland, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Poots, Mr Robinson, Mr Ross, Mr Stalford, Mr Storey, Ms Sugden, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr McQuillan and Mr Robinson

NOES

Mr Agnew, Mr Aiken, Mr Allen, Ms Archibald, Ms Armstrong, Ms Bailey, Mrs Barton, Mr Beattie, Mr Beggs, Mr Boylan, Ms Boyle, Ms S Bradley, Ms Bradshaw, Mr Butler, Mr Carroll, Mr Chambers, Mr Dickson, Ms Dillon, Mrs Dobson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Ford, Ms Gildernew, Ms Hanna, Mr Hazzard, Mr Kearney, Mr Kelly, Mrs Long, Mr Lynch, Mr Lyttle, Mr E McCann, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCrossan, Mr McElduff, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McKee, Mr McMullan, Mr McNulty, Mr McPhillips, Ms Mallon, Mr Maskey, Mr Milne, Mr Mullan, Mr Murphy, Mr Nesbitt, Ms Ní Chuilín, Mr O'Dowd, Mrs Overend, Mrs Palmer, Ms Seeley, Mr Sheehan, Mr Smith, Mr Swann.

Tellers for the Noes: Mr McGrath and Mr Mullan.

The following Member voted in both Lobbies and is therefore not counted in the result: Mr Allister

Question accordingly negatived.

Mr Deputy Speaker (Mr Kennedy): We now move to the vote on amendment No 2. I have been advised by the party Whips that, in

accordance with Standing Order 27(1A)(b), there is agreement that we can dispense with the three-minute rule and move straight to the Division.

Question put, That amendment No 2 be made.

The Assembly divided:

Ayes 46; Noes 47.

AYES

Mr Agnew, Ms Archibald, Ms Armstrong, Ms Bailey, Mr Boylan, Ms Boyle, Ms S Bradley, Ms Bradshaw, Mr Carroll, Mr Dickson, Ms Dillon, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Ford, Ms Gildernew, Ms Hanna, Mr Hazzard, Mr Kearney, Mr Kelly, Mrs Long, Mr Lynch, Mr Lyttle, Mr E McCann, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCrossan, Mr McElduff, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McMullan, Mr McNulty, Mr McPhillips, Ms Mallon, Mr Maskey, Mr Milne, Mr Mullan, Mr Murphy, Ms Ní Chuilín, Mr O'Dowd, Ms Seeley, Mr Sheehan, Ms Sugden.

Tellers for the Ayes: Mr Kelly and Mr McCartney

NOES

Mr Aiken, Mr Allen, Mr Allister, Mr Anderson, Mrs Barton, Mr Beattie, Mr Beggs, Mr M Bradley, Ms P Bradley, Mr K Buchanan, Mr T Buchanan, Ms Bunting, Mr Butler, Mrs Cameron, Mr Chambers, Mr Clarke, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Irwin, Mrs Little Pengelly, Ms Lockhart, Mr Logan, Mr Lyons, Mr McCausland, Mr McKee, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Nesbitt, Mrs Overend, Mrs Palmer, Mr Poots, Mr Robinson, Mr Ross, Mr Smith, Mr Stafford, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Noes: Mr McQuillan and Mr Robinson

Question accordingly negatived.

5.45 pm

Main Question put and agreed to.

Resolved:

That this Assembly believes in a victim-centred approach to addressing the past and that victims and survivors should have a meaningful

input to the content and design of legacy proposals; further believes that justice, truth and accountability, acknowledgement and support for victims and survivors are essential elements in a comprehensive approach to the past; notes the comments by the Secretary of State for Northern Ireland on a public phase on legacy proposals; and calls on the British and Irish Governments for an urgent, renewed effort to conclude legacy issues, including the further development of the proposed roles and powers of the Oral History Archive, Historical Investigations Unit, Independent Commission on Information Retrieval and the Implementation and Reconciliation Group and rejects any attempts by the state, state agencies, illegal groups and others to evade justice, suppress the truth of and resist accountability for the past.

Mr Lyttle: On a point of order, Mr Deputy Speaker. The First Minister and Justice Minister were present for a vote on the most recent motion on the serious issue of addressing legacy issues for victims and survivors in our community, yet not one of them was able to offer an Executive response to that motion. Is the Deputy Speaker willing to review ministerial responses to debates in the Assembly?

Mr Deputy Speaker (Mr Kennedy): I thank Mr Lyttle for his point of order. It is a matter for Ministers to respond, directly or otherwise, to statements in the House.

Adjourned at 5.50 pm.

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